

A Compleat  
**COLLECTION**  
Of Remarkable  
**TRYALS,**  
Of the most Notorious  
**MALEFACTORS,**

AT THE

Sessions-House in the *Old-Bailey*, from  
the Year 1706, to the last Sessions, 1720:

For the **CRIMES** following :

Murders,	}	Polygamy,
Highway-Robbing,		Fortune-stealing,
Piracy,	}	Trepanning,
House breaking,		Shop lifting,
Foot-padding,	}	Callicoe-tearing,
Rapes,		Mohocking,
Sodomy,		High-Treason.

Together with

A Particular Account of their Behaviour  
under Sentence of Death, and Dying  
Speeches.

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**VOL. IV.**

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*Faithfully collected from the Books of Tryals, Dying  
Speeches, and other Authentick Narratives.*

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**L O N D O N :**

Printed for J. BROTHERTON, and W. MEADOWS, at  
the *Black-Bull* in *Cornhill*; F. CLAY, at the *Bible*  
without *Temple-Bar*; and J. BATLEY, at the *Dove*  
in *Paper-Noster-Row*, M.DCC.XXI.



W. Musgrave.



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THE  
 TRYAL, &c.  
 OF  
 ROBERT READ.



ROBERT READ, of the Parish of *St. Brides*, was indicted at the *Old Baily*, upon an Inquisition taken before the Coroner, for the Murther of *Daniel Vaughan*, with a Blunderbuss charged with Gunpowder and Bullets, the 24th of July, 1716. the Indictment preferr'd to the Grand Jury for the Murder of the said *Daniel Vaughan*, was return'd *Ignoramus*.

The Evidences for the King depos'd as follows.

VOL. IV.

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*Katherine Bennet* depofed, ſhe, living over againſt the *Mug-Houſe*, heard a great noiſe the *Monday Night* before this happened, in ſo much that ſhe ſate up all Night, and heard ſome of the Gentlemen there ſay, Come let's go to the *Swan*, (an Ale-houſe in the ſame Street) which they did, and heard them beat againſt the Windows; and, when they return'd, ſhe heard a Voice ſay, Come Gentlemen of the *Roebuck* let us Drink the King's Health. That about One a-clock they went to the *Swan* again, and, as they went, ſhe heard them ſay, Down with the Butchers, down with the Barbers, (whoſe door was beat open) down with the Pawnbrokers; and that they beat againſt her door, but could not break it open, that ſhe ſaw no Watchmen nor Conſtable there. The next Morning, about two a clock, ſhe ſaw the *Mughouſe Windows* broke, that there were no Stones thrown at them, till a Gentleman came out of the Houſe, and ſeveral more with Sticks. That ſhe ſaw a Mob n *Fleet-ſtreet* but did not ſee them advanc up the Court, but ſtood ſtock ſtill after they ſaw the Priſoner kill the Deceaſed. That the Priſoner was Three or Four Yards from his Houſe when he fired, and then ſhe look'd and ſaw the Deceaſed fall. That the Priſoner had  
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levell'd his Piece once before, but it would not go off, and that she saw no stick in the Deceased's hand when he dropped.

*Thomas Moultsien* deposed, That between Ten and Eleven a-clock that Night, as he was going to Bed at a House over against the Prisoners, he saw no stones thrown then, but saw some Gentlemen in the Court who went to the *Swan*, and beat against the Windows, after which some of them said, Come Gentlemen of the *Roebuck* walk in. Next Morning about 6 he saw a Crowd about the *Swan*, whose Windows were broken as some were at the *Mughouse*, but he did not know who broke them. That he saw a little Gentleman read a Proclamation and a great Number of People were there at the end of the Court, many of them with sticks, and he saw them advance Three or Four Yards into the Court, but some Persons came out of the *Mug-house*, and drove them back into *Fleet-street*, but at last were forced to retire themselves; and he did believe it was half an hour after the reading the Proclamation, before the Prisoner Fired, the Mob being about 20 Yards in the Court, and he heard them cry, *Down with the Mug-house*, That the Deceased was between the Prisoner and the Mob,

4      *The Tryal, &c. of*

and the Prisoner about a Yard and half from his own House. He could not tell whether the Deceased came out of the Passage or no, tho' he saw him before he was Shot, nor whether he had a stick in his Hand or not.

*John Bill* deposed, that the Night before, viz. the 23d of *July* last, after he had shut up Shop, he went out for his Supper, and at his return, found several Watchmen at the Mug-house Door, which Occasioned a great Mob, and he saw them throw Stones at the Windows, upon which two Gentlemen came out with their Swords Drawn. Next Morning he saw the Windows broke very much, that there was scarce 4 Panes of Glass whole, but he did not see any of the Watch endeavour to prevent the Mischief. After this he saw the Prisoner, and a Grenadier, go from the Mug house to the end of *Salisbury-Court*, but were drove back by the Mob: Then he heard the Proclamation Read, upon which the People advanced with great shouts for the space of 3 Minutes, and then the Prisoner Fired, the Mob being within 20 Yards of his House, the Deceased about 10 Yards before them, and the Prisoner 5 from his own House. That he could not remember any particular or general Cry, uttered by the Mob, but believed the Deceased

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ceased did not belong to them, and that he had no stick in his Hand; however he had heard he was a Mobber, and also thought the Blunderbuss did the Mischief.

*William Stratton* deposed, That as he was going to Work about 4 a-clock that Morning, he saw a great Mob in *Salisbury-Court*, and going in, he saw the Deceased in the *Swan*, who call'd him to drink with him, and then told him there was a great Mob, but he was going to Work, and had some Bread and Cheese in his Pocket. That by and by the Mob increased, and he heard the People of the Mug-house Cry, *King George for ever*, and the Mob, *High-Church and the King*: But the Deceased said he would not meddle, That then he heard the Proclamation Read; That the Mug-house People drove down the Mob, but being forced back again, he and the Deceased, went out and they parted at the Corner of the Passage.

*Charles Tuckey* deposed, That he was in a Balcony over against the Mug-house, and about 1 a-clock saw the Prisoner come out with a Blunderbuss in his Hand, and saw the Mob advancing from *Fleet-street* to the Mug-house Door, Hollowing as the People did in the Mug-house; and being asked what their Cry was in

the Mug house; he answered *King George for ever*; that some of the Mob had Sticks; that then the Prisoner pushed on 4 or 5 Yards from the Door and fired, and the Deceased fell much about the same Distance before the Mob: That he saw no Stick in the Hand of the Deceased: That two or three Soldiers came out at the same time, and one of them fired, but he believed the Prisoner did the Execution.

*Sarah Dawson* deposed, That she being a Servant in the Neighbourhood, was sent about 11 a-clock on an Errand, but the Crowd being very great, she turned down a Passage in an Alley by *St. Brides Church-wall*, and coming back again the same Way, the Deceased stood at the end of the Passage, and she push'd to get thro', and the Piece went off at the same time, and the Deceased fell against her, and frighted her: That there had been a great Disturbance all Night; and that the Mughouse Windows were broke before this happen'd; and that she had been ever since under an uneasy Conscience, as fearing herself to have been in some measure, the Cause of his Death.

*Joseph Harris* deposed, That he was at Work that Morning in *Fetter-lane*, when he heard there was a great Disturbance in *Fleet-street*, upon which he went there

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to see what was the Matter, and saw the Deceased, whom he knew, and a great Crowd of People, and asked him what was the Matter, and the Deceased said he did not know; that he would not be concerned, but go to Work; and that he had some Bread and Cheese in his Pocket; that he saw the Mughouse Windows broke, but staid but a very little while, and about a quarter of an Hour after he heard the Deceased was kill'd.

*John Holmes* deposed, That he was going through the Court about 10 a clock, and staid till half an Hour past 11, in which time he observ'd a great Crowd of Women and Children about the Mughouse Door, and a Constable and some Men come out of it and read a Proclamation with three Huzza's, and then saw the Prisoner bring out a Blunderbuss, which he discharged, and the Deceased fell, who was about 11 Yards from him, as he was from his House. This Evidence being ask'd some Questions concerning a Mob, their Cry, and whether they had Sticks at that time, answered, Not as he saw; he heard nothing of it; he did not look towards *Fleet-street*.

This was all the Evidence appear'd against the Prisoner to support the Indictment on the behalf of the King. Then

the Prisoner called his Witnesses, who being sworn, deposed as follows.

Mr. *John Boyles* deposed, That he was at the Mug-house the Night before, between 6 and 7 a-clock, and about 9 a Constable and several Watchmen drew up in a Rank against the Door, which occasioned a great Mob, and as Gentlemen came to the Mug-house they Hissed them; upon which he went to the Door to know why they Hissed, but they threw Stones at him and at the Windows, which had been broke once before to the Value of 7s. and 6d. that afterwards being in the Coffee Room a Stone hit him on the Leg, and then he went to the Constable, whose Name was *Overs*, and asked him if he was not ashamed to suffer such Things, having Authority and Watchmen enough to prevent them, by securing the Persons who threw the Stones; but the Constable answered him, it was the People in the Mughouse threw the Stones and broke their own Windows; that his Hour was not come, viz. 10 a clock. After this, Mrs. *Read* sent a quart of Ale to the Watchmen to drink the King's Health; but another Constable who was there, refus'd it, and forbad his Watchmen to drink it. Then one Mr. *Huckles* offer'd them a Crown, saying, Come, these look like honest Watchmen, there's



Robert Read.

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a Crown for them to drink: But the Constable made them return that also. Then a Constable read the Proclamation; upon which the other Constable with his Watch came in and demanded the Reason of that Rout; to which the other Constable reply'd, There is no Rout but what is made by your Mob, and therefore they had read the Proclamation to disperse them. To which he reply'd, You are no Constable in this Ward, and therefore are not to direct me, and then went away. A little while after some Mischiefe happen'd at the *Swan* Alehouse a few Doors off, and Mrs. *Read* begg'd the Favour of some Gentlemen to stay in the House all Night, as he and some others did; and about 6 a clock the next Morning the Mob began to gather, and continued till 9, throwing Stones at the Windows, and seem'd inclinable to do more Mischiefe; upon which he ventured out to them to Reason with them, and to desire them to be Easy and Quiet, and not ruin a Man who had done them no harm; at which time he received two knocks by Stones, one of which broke his Head and made him bleed very much; whereupon he ran into the House for a Stick, and drove them, but struck no Body but the Person who hit him with the Stone. After this being informed  
that



that an united Mob was preparing to pull down the Mug-house, they sent two Messengers, the one to the Lord Mayor, the other to the Lord *Townsend*, and it was not long before a great Mob arm'd with Sticks and Clubs appeared in *Fleet-street* making up the Court, whereupon they consulted what was best to be done for the security of the House, and he advised to Attack them before they joyned the Mob in the Court and became too formidable, and so they did, having a Blunderbuss brought them about half an Hour before in a Coach; that then he and Mr. *Read* bid the Mob have a Care, stand off, near a quarter of an Hour before he fired, which was done about a Yard and half from his House, and then he went in to make a Baracade.

*John Colins* deposed, That he was at the Mughouse all Night for its Defence, and the Society was inform'd that a Gentleman was carried to the *Swan*, for crying out *King George for Ever*. Upon which some of them went in a civil manner to speak with the Constable and know what he had secured him for, and knocked at the *Swan* Door, but they would not open it; but some Persons up Stairs open'd the Windows and untiled the Penthouse, and threw the Tiles upon the Gentlemen, which broke some of their

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their Heads; and thereupon they return'd some of the Tiles that had been thrown at them, and broke some of the Windows, but no Windows were broke at the *Swan* till after the Tiles were thrown from the Penthouse; and that he was with the Gentlemen at the *Swan* and received a Cut over the Nose by a Tile that was thrown from the *Swan*, tho' no Body had given them the least Provocation; upon which some Gentlemen returned their Tiles, and broke the Windows; and that the next Morning the Mob broke their Windows at the Mug-house; and that one of their Company went out and took a Fellow whom the Mob call'd Vinegar, (who he did believe was the Person who was afterwards Kill'd) and brought him into the Mug-house; and about an Hour after he fell on his Knees, begg'd Pardon, and drank King *George's* Health, and then they let him go: After which the Mob much encreased, and he heard them cry out, *High-Church and Ormond, no King George; no Hanoverians; down with the Mug-house.* But some Gentlemen went out and drove them quite down the Street; but being repulsed, Mr. *Read* and the Grenadier went out again, and bid them Stand off; Keep back, &c. That then the Deceased was at their Head with a great Stick in his

his Hand, brandishing and bawling out, *Fall on brave Boys, for the Duke of Ormond is landed with 20000 Men.* And a little after that Mr. *Read* fired; that then the Mob fell upon them, and some Gentlemen got away, but he and some others went up Stairs and made a Barricade upon the Stairs; after which they heard a great clattering and breaking of the Goods below, which were thrown out for their more speedy Destruction, to the Mob in the Court.

*Thomas Arrowsmith* (a Grenadier) deposed, That he was at Mr. *Read's* House all Night, and that from 8 a clock as the Gentlemen came into it, they were Assaulted by the Mob at the Door, who threw Stones at them; that a Constable was there with his Watch, but did not discharge the Duty of his Office, but encouraged the Mob by his Connivance. Next morning the Mob, Men, Women, and Children, began to shew their Colours, by crying out, *High Church and Ormond for ever, and down with the Mughouse.* At about 11 a clock their Number was very great, and he having his Arms, drove them from the Door two or three times into *Fleet-street*; then the Proclamation was read, which served but to encrease their Rage and Number, who threw Stones so thick that the Gentlemen were obliged to go  
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into the House, and then he, with the Prisoner, who was also armed, went out and presented their Pieces, bidding them Be gone; Have a care; Stand off, &c. for the space of 6 Minutes, during which time they were pelted with Stones so that they could take no Aim, the Mob still advancing upon them and hollowing out *Down with the Mug-house*, and then they both fired; after which he posted himself for the Defence of the House, but in a little time some of them broke into it behind and push'd him into the Court, and then he was so beat with Sticks and Clubs, and dragg'd along the Channel, that had it not been for the Guards and Mr. *Tobias Cheesbrook*, he had certainly been Murdered; and others at the same time were pulling the House to pieces; that before this, he saw no Harm offered to any Body by the Gentlemen in the Mughouse.

*Michael Burrel* deposed, That he was going Home about 10 a clock a *Monday* Night and heard a Noise in *Salisbury Court*, (where he had been inform'd there was a Mug-house, but had never been in it) and saw a Constable and some Watchmen there, who he thought encouraged and encreased the Mob, by taking no care to keep the Peace, or to prevent the hurling Stones to the Windows,



dows, tho' the Persons who threw them were just by them, and all the Action done in their Sight, and Stones were brought in Baskets and laid down by them. Being asked what Constable this was, he said he was told his Name was *Johnson*; that after the House had been battered some time the Gentlemen came down and desired the Constable, &c. as well as he could understand them, (being at some distance) to do his Duty, but he went away and left the Mob there. Next Day about Noon coming from his Chambers in the Temple, he saw a great Mob in the Court breaking the Goods in the Mug-house, and throwing them out at the Windows; and as they were gutting the House and pulling things down, he heard some of the Mob say, *Just thus will we pull King George from the Throne which is none of his own.*

Mr. *Badcock* deposed, That having been informed on *Monday Night* by a Friend, that there was a Design to pull down the Mug-house, he being a Constable and desired to keep the Peace, went to the House and found a great Mob at the Door throwing Stones; and being asked whether there was any Rout or Disorder in the House, he said there was not; that a Constable whose Name he did not know, and some Watchmen being before the

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the Door, he desired the Constable and his Watch to keep the Peace. But he reply'd, they in the House occasion'd the breach of it themselves; which was false, they having done nothing that could give a just Offence; that going up Stairs he heard a great clattering against the Windows, and saw another Constable, one *Johnson*, whom he desired likewise to keep the Peace and disperse the Mob, promising to assist him, there being about ten Watchmen with him: But he reply'd as the other had done, that the Mug-house People threw the Stones themselves, tho' he knew himself that that was impossible, the Window-shutters being shut so that they could not fling any out; telling him also he had nothing to do there, not being a Constable of that Ward, the Mob throwing Stones all the while in their very Sight. He also heard this Constable say, the House deserved to be pull'd down; and then one of the Watchmen took hold of him, and would have pulled him out of the House: After which they came in and made a Bustle and Disturbance in the House, so that he was obliged to read the Proclamation, the Mob throwing Stones at him all the while. the next Morning he went to see what Mischief was done, and found the Windows broke and a Gentleman wounded; that

that one of the Mob threw a Stone at him, and as he was about securing him, the Mob knocked him down and rescued his Prisoner.

Mr. *Richard Bennet* deposed, That he had been at the Mughouse the Monday Night before this Action hapned till past 11 a clock, when the Mob was very numerous and the Stones thrown in great Plenty; that one of the Company going out was wounded with a Stone and came back to be drest. The next Morning he was told by one of his Boys that a great Mob was in *Salisbury Court*, upon which he went to them and heard them say they would pull down the Mughouse, and getting up to it he saw a Fellow bring out three Bottles in his Hand, kneel down by the *Swan* Door near the Channel, and drink the Gentlemans Health by the Name of *James* the Third, and Hollowed, and the People in the *Swan* Hollowed too. He also saw the Engagement between the Mob and the Grenadier who was knock'd down, and his Boy took some Care of him, and help'd him up.

Dr. *John de la Cofte* deposed, That the *Friday* Night before he was Chairman at the same Mughouse, and had received Information, that the Mob had threatned to pull it down that Night, and fearing  
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he should want Assistance, he sent a Message to the Loyal Society in *Tavistock-street*, desiring their Company and Assistance, if need should be, on that Occasion; who came and dispersed the Mob so that no Mischief was done that Night; but a few of them went by with a Harp and Fiddle, playing *The King shall enjoy his own again*. The Court then told him, since he had been Chairman there, he would do well upon his Oath, to give an account of their Orders and Behaviour. Upon which he deposed upon Oath as follows; That about 8 a clock at Night the President generally enters the Chair, and after profound Silence is made, they always begin a hearty Mug to the Health and Prosperity of his most Serene Majesty King *George*: Sometime after that, another to their Royal Highness's the Prince and Princess of *Wales* and their Issue, and all the Royal Family: A third to the glorious and immortal Memory of King *William*: And seldom or never miss a fourth to the Prosperity of the Church of *England*; sometimes with a Supplement, wishing she may never want Power nor Inclination to protect and encourage all Protestants; and sometimes without: For the rest, if any are inclined to stay longer, they fill up the time with other Loyal Healths of less Note, as the Chairman or Presi-

President shall think proper; But never to the Confusion or Damnation of any Person or Thing, as the Enemies to the Government and Them had falsely given out. Then he proceeded to give an Account as follows.

He added, That he went with three Gentlemen through the Mob that *Tuesday* into the Mughouse, about 11 a clock in the Forenoon, and they follow'd him almost to the Door, and that he heard some of the Mob say the Duke of *Ormond*, and some the Duke of *Berwick*, is landed with 20000 Men. When he saw Mr. *Read*, he asked him what provision was in the House for a Defence, and finding none, he wrote a Letter to the Lord *Townsend*, to inform his Lordship of their Danger, and blamed the Prisoner for not doing so before, and by and by heard a small Gun go off, which he thought to be a Warning Gun for the Mob to fall on; for immediately after they did so with great Fury, and he being above Stairs with some other Gentlemen, they got out at a Window behind the House, and the Sexton of the Church had the Cruelty to turn a Mastiff loose upon them; but they drew their Swords, and told him they were on the defence of their Lives, and if he did not call him off they might be under a necessity of killing the Dog  
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and him too. Upon which he call'd him off; and about half an Hour after he heard the Gun go off, which he believ'd kill'd the Man.

*James Harbottle* deposed, That as he was talking with a Friend that *Tuesday* Morning about a 11 a clock near the *Rose Inn* at *Holbourn Bridge*, about a dozen Men past by him with Sticks, hollowing; that he follow'd them and asked what was the meaning of it? And they said, they were going to attack the *Mughouse*; upon which he traced them, and at one *Mr. Mitchel's* a Soapboiler by *Fleet Ditch*, about half a dozen Sticks were deliver'd to them. From thence they went down *Shoe Lane*, and at a Braziers near *Adams's* the Cooks they had more Sticks given them, and then they said, *Come Boys, here's Sticks enough now.* That thereupon he went and gave *Mr. Read* an Account of it. And the Mob having Armed themselves with Clubs to their satisfaction, and thrown away their small Sticks, they went directly to *Salisbury Court*, and after the Proclamation was read they pressed forward, but were beat back by the Grenadier; but growing stronger, they returned to the Charge with a very great Shout; that then he went up to the *Mughouse* and heard *Mr. Read* say, Stand off; Have a care, &c. and in a little time the



the Niece fired, the Mob at the same time throwing Sticks and Stones at the Prisoner and his House.

Mr. *Carleton Smith* deposed, That on the *Tuesday* aforesaid, the Lord Mayor sent him to the Mughouse in *Salisbury Court* to see what was the Matter, and he found the Court full of Mob, which occasion'd him to go through the Passage by *St. Bride's Wall* to Mr. *Read's House*, and turning himself about saw two Parties engaging, and the Grenadier making along at the Mob with his Bayonet fixed; but at last they bearing down upon him with a great Torrent, the Deceased at their Head; and at the very Instant he was endeavouring to save himself through the Passage, he heard a Piece go off as the Deceased (to his thinking) was advancing to the Grenadier to close with him, He did not observe Mr. *Read* particularly, but the Deceased fell down just by him, starting and heaving one of his Legs, and died; after which he helped to convey him into *St. Bride's Passage*, and immediately heard a violent noise of Boards breaking and crashing, which made him think it was high time for him to give an Account of it to the Lord Mayor.

*Richard Nevel* deposed, That being sent of an Errand into *Salisbury Court*, between 10 and 11 a clock on *Tuesday Morning*, and

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and he having heard of a great Disturbance there the Night before, was willing to see what would be the Consequence; whilst he was observing, he saw a great Mob come up the Court, and a Constable come out and read a Proclamation, and then the Gentlemen Huzza'd for King *George*, and he Huzza'd himself, and the Mob Huzza'd; after which they advanc'd towards the House, and Mr. *Read* and some Gentlemen came out and fought the Mob, but were beat at last, and forced to return; and then the Mob, who had Sticks in their Hands, cry'd out, *High Church and Ormond, no King George; no Hannoverians; down with the Mughouse*, louder than ever: And being ask'd whether many of them said so, said it was Universal. Then he saw the Prisoner come to the Door and lean there, and the Deceased with a Stick held up in his Hand like a Quarterstaff, was making up to Mr. *Read* when he fell; and that he saw some of the Mob fling Sticks and Bricks at the House, whilst others advanc'd with Sticks in their Hands.

Mr. *Paul Burdeau* deposed, That he was in *Salisbury Court* that *Tuesday* Morning, and saw a violent Mob assaulting the Mughouse and going into the *Coach and Horses*, an Alehouse overagainst Mr. *Read's*, he saw three or four Constables; at which  
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he was surprized, there being so much need of their Assistance elsewhere, and therefore told them he was ashamed to see so many Constables in that House, when just by there was so great a Call for their Duty; and then they went out, but he did not see them afterwards in the Court: And about 10 a clock, as he walked about in *Fleetstreet* to observe what passed, he heard a Fellow say, *Damn that Grenadier, if it was not for him we would have a little Fun*; and the Deceased reply'd, *Damn his Blood, I will have him down by and by*; upon which he asked some who knew him, who that was; and they told him his Name was *Daniel*, the Captain of the Mob. After this he heard a Man was kill'd, and he went to *St. Brides Wall* where he lay, and knew him to be the same Person.

Mr. *Luke Whitton* deposed, That he was at *Salisbury Court* about 12 a clock, and heard a Consultation among the Mob to pull down the Mughouse, upon which he went to Mr. *Read*, and told him of it; and then the Proclamation was read, which serv'd but to encrease them, who made great Shouts, and he saw *Daniel Vaughan* knock down a Soldier; after which the Mob pressed forward with *Vaughan* at their Head, crying *High Church and Ormond*, down with the Mughouse

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house; and thereupon he bid the Prisoner fire, saying, *You have Law, you have Justice, you have Reason on your Side, why don't you fire?* And presently the Deceased fell and dropt his Stick.

Mr. *Edward Harding* deposed, He saw the Deceased throw a Stone at two Soldiers as big as his two Fists about an Hour or two before, as they were going up to the Mughouse; he knew him very well, and some of the Mob call'd him Vinegar, some little *Daniel*. After he was kill'd, he saw the Mob destroy all the Goods they could come at in the Mughouse; and by and by a Fellow came out with three Bottles and drank the Pretender's Health, between 12 and 1 a clock.

The Prisoner had a great many Persons of Credit to speak to his Character; but the Court thinking it needless, they were not examined. The Recorder having summed up the Evidence, the Jury Acquitted him.





*The TRYALS, &c. of*  
 John Love, Thomas Bean, George  
 Purchase, Richard Price, and Wil-  
 liam Price.

**T**Hey were indicted at the *Old Baily*, the 7th of *Sept.* 1716. upon the Statute made, in the first Year of King *George*, which makes it Felony without benefit of Clergy, to demolish, or begin to demolish any House, &c.

*Tho. Arrowsmith* deposed, That he saw *George Purchase* with a Stick in his Hand, walking to and fro about the *Mughouse* Door for about an Hour, on *Tuesday* the 27th of *July*; that about 7 a clock that Morning the Mob began to break the Windows of *Mr. Read's House*, the *Mughouse* in *Salisbury Court*, with Stones and Bricks, crying, *High Church and Ormond*; and that a Woman cry'd, *Damn all the Presbyterians*: And he took hold of her, but one *Mr. Delander*, a Watchmaker, rescued her from him.

*Mr. Samuel Gott* deposed, That he saw *John Love* helping to break down the Sign, and breaking the Goods and Windows about one a clock; that *Purchase* and *Bean* were there also hurling Stones, and breaking the Windows with Stones  
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and Sticks for about an Hour and a half; and that he saw *Purchase* throw a Stick up at the House and Windows; and that *Love* assisted him in throwing a Rope over the Sign, by which means they drew it first on one side, and then on the other, till having loosened it, it fell down, and saw him climb up the Rope almost to the very Sign; and that he saw *Bean* break the Windows with Sticks thrown up against them.

Mr. *Burrel* deposed, he saw *Richard Price* go into Mr. *Read's* House and fetch out the Goods and break them; that he laboured very hard, and was very industrious in demolishing the House, and destroying the Goods, saw him in the Bar pulling it down, and taking out the Papers; that he himself was at the Door when the Guards came and seized *Richard Price*.

*John Collins* deposed, That he saw the two *Prices*, *Purchase*, and *Love*, in the Riot, plundering and destroying Mr. *Read's* House and Goods; that *Love* climb'd up the Rope almost as high as the Sign, in order to pull it down; that the two *Prices* were employ'd chiefly within doors, in breaking the Bar and Household Goods, and *Purchase* in breaking and destroying those brought out, and breaking the Windows with Bottles

and Sticks, crying out all the while *High Church and Ormond, no Hannoverians, no King George, down with the Mughouse*. And that there were several other Persons with Pickaxes demolishing the House, but he knew not who they were; that they cry'd out, *High Church and Ormond, no Hannoverians, no King George, down with the Mughouse*, and that Purchase was one of them.

Mr. *John Halsell* swore, That he saw *John Bean* running with great Joy from *Fleetstreet*, toward *Ludgate Hill*, with part of the Sign that belong'd to the Mughouse, making a great Noise with a Mob that accompany'd him; and that a Cart standing at a Potter's Door hard by, *Bean* put the Sign into the Cart, and return'd; that there were the Letters R. R. E. upon the Sign; that this was about 1 a clock; and that he intended to have stopped him if he had come up so high as his House.

*Carlton Smith* deposed. That he saw the Prisoner *Bean*, in his return to the Lord Mayor's from *Salisbury Court*, with part of the Sign in his Hand, in a great heat, running along with it towards *Fleet Ditch*, with the greatest Joy and Triumph imaginable, which surpris'd him, he being a Servant to Mr. *Cassey* and *Carnegie*, two Rebel Prisoners, at that time under Con-

demna-

demnation in *Newgate*; but that he could not take him then because of the Mob, but took him the next Morning in *Newgate-street*, and put him in *Newgate*.

Mr. *Luke Whitton* deposed, That he saw *William Price* go several times in and out of the *Mughouse*, and pull at the Sign with so much Force, that he thought the whole front of the House was going to fall; that he beat a Soldier, and after made off with the greatest Joy.

Mr. *Graves* deposed, he saw *Love* stamp upon some of the Goods to break them, especially a Coffee-pot.

Mr. *Burrell* swore, he heard several of the Mob cry, *Just as we pull down this Mughouse, we will pull King George from the Throne, which is none of his own.*

*Purchase* deny'd the Fact, said he had no Stick, called two Persons to his Reputation, but they did not appear.

*Love* deny'd the Fact, saying, he took hold of the Rope to save himself.

*William Price* deny'd the Fact, but had no Body to his Reputation

*Richard Price* deny'd the Fact, and call'd his Master to his Reputation, who said, he was a very honest, but a very silly, ignorant Fellow.

*Bean* owned, that Mr. *Smith* spoke to him when he carry'd away the Sign. The Evidence being full against the Prisoners,

the Jury found them all guilty of the Indictment: And they all received Sentence of Death. Being under Condemnation, they gave the Ordinary the Account following.

*George Purchase* said he was 23 Years of Age, born at *Puddledock London*; that he serv'd an Apprenticeship of seven Years to a Shoemaker in *Salisbury Court*, and afterwards work'd Journey-work with his Master: He acknowledg'd his Crime to be a heinous one, and his Sentence to be just; and begg'd Pardon of God for that, and all other his Sins.

*Tho. Bean* said he was 22 Years of Age, born in *Salisbury Court*, where his Father formerly kept the Ship Tavern, used the the Sea five Years Steward to a Purser of a Man of War, and afterwards to Mr. *Casséy* and *Cornegie*, that were then under Condemnation for being in the Rebellion at *Preston*. He confess'd his being guilty of what he was charged with, but said he inconsiderately join'd in the Riot, the Consequences whereof he did not then apprehend, but now, to his great Sorrow, knew the Mischief he had thereby involv'd himself in.

*Will. Price* said he was 21 Years of Age, born in the Parish of St. *Andrew Holbourn*, was bound Apprentice to a Sword-cutler, having serv'd about 4 Years of his Time.

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He said also, that hearing there was a great concourse of People in *Salisbury Court*, he presently ran thither, but with no ill Intent, but out of mere Curiosity; however when he was there, he joyned with others, and assisted in demolishing Mr. *Read's* Mughouse, destroying his Goods, and crying, *High Church and Ormond*, &c. For which he said he heartily repented, praying God to forgive him.

*Richard Price* said he was 20 Years of Age, born at *Slandavery* in the County of *Caermarthen* in *Wales*, where he serv'd his Time to a Taylor, and coming to *London*, work'd Journey-work; that accidentally passing by that Place where the Tumult was, he unhappily fell among them, not considering the Unlawfulness and ill Consequence of the Fact, for which he begg'd Pardon with Tears.

*John Love* said he was 16 Years of Age, born in *White-Fryars London*; that he had learn'd to make Buttons, but his chief Employment was to help Bargemen and Lightermen to unlade their Vessels. He said he was also unfortunately and inconsiderately drawn in to the Commission of the Fact.

On *Tuesday* the 21<sup>st</sup> of *Sept* a Gibbet being erected at the End of *Salisbury Court*, near *Fleetstreet*, they were Executed.

Being at the Place of Execution, they desired all Men and others, would take Warning by them, and learn Wisdom from their Folly: They also begg'd Pardon of God and the King, and of all they had offended, declaring they dy'd in Charity with all Men, wishing none might be so unhappy as to follow them in that, or any other unlawful Course.

As they pass'd to Execution, *Tho. Bean* gave a Paper, which he call'd his *Last Speech*, to a Gentleman, a Friend of his, at *Fleet Bridge*; but before, or by that time he came to the Gallows, a Speech was given him, of which he read a Part, but was interrupted; and therefore he gave it to a former Companion of his, who sent it to be Printed; which is as follows.

**I** Am brought hither by God's Permission, dear *Fellow Christians* and *Countrymen*; against the antient Laws of this Kingdom, and undoubted Liberties of this once Free People, by Virtue of a new pretended Law, to an ignominious Death, tho' nothing worthy of Death, even according to this new Constitution, could be proved upon me: Had I had but the Right of defending myself allow'd me, which we *Englishmen* have hitherto so much

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much glory'd in, and for which we ordinarily appeal to God, and our Country, as I do most solemnly now appeal to both, in this my last Hour. Beseeching Almighty God that he will not lay this sin to the Charge of those who have been Instrumental in bringing me to this unexpected End; and that he will not remember the Sins of my Youth, nor enter into Judgment with me for my manifold Transgressions against his most holy Law, whereby I have merited not only temporal but eternal Death, and brought Dishonour upon the holy Religion which I profess, and which I am now going to Seal with my Blood.

It was the Zeal that burn'd in me, to hear of certain diabolical Healths publickly drank in defiance of all Law, as well as Religion, and particularly of *Confusion to the Church of England*, with hellish Reflections both on the Living and the Dead, which kindled that Fire in me, which would have been hard for Men of more Years and Understanding to have govern'd themselves under such great and repeated Provocations. God be merciful to me, and to all who gave them, and who have promoted thereby this Scene before your Eyes; and grant that all may be wash'd away in the Blood of Christ, into whose Bowels of Love and Mercy I cast myself,

in the Fellowship of all Faithful Penitents, who are at Rest with him.

I die an unworthy Member of the Church of *England*, as by Law Established, which God for ever preserve; and I protest against Popery, and all Antichristians whatsoever, and all Usurpations both in Church and State. I say again, God for ever preserve the Church of *England*, and make her Glorious, that all who dissent from her may be converted to her.

I heartily pray that God would look upon this once flourishing, but now miserable distracted Nation, and heal the Breaches thereof by the *only Expedient which remains, and which is in the Hands of God to fulfil*; baffling all the Designs and Decrees of wicked Men and Angels, against Truth, Justice, and Peace.

I beg of you all to assist me in this Hour of Death, with your fervent Prayers to the Father of Mercies, that I may be strengthened to overcome it, through the Blood of the Lamb, and have part in the Resurrection to eternal Life. *Lord Jesus, have Mercy on my Soul: Lord Jesus receive my Spirit. Amen, Lord Jesus,*

The Copy of his true Speech, writ with his own Hand, is as follows.



**I** Being now to make my Exit from the Stage of this World, I think it proper to acquaint all honest People, and particularly my beloved oppressed Friends of the true Reformed Church of *England*; that I was always brought up in the Bosom of the said Church (though an unworthy Son thereof;) that I have always wish'd, with a most fervent Zeal for the Prosperity thereof, and do now die in the Communion of the said Church. I shall not enlarge upon the hardship of my Tryal, to which I was hurried without a Moment's Notice, and not so much as *Subpœna's* granted me, when demanded, to Summon my Friends to my Tryal; upon the Wickedness, Falsehood, and Malice of the Evidence who swore against me, &c. I shall only put you in mind of a Fable of the *Crows* and the *Pidgeons*, related in Fable 306, of *Roger L'Estrange's* Book, Page 358.

*There hapned a Suit in Law between the two Families of the Crows and the Pidgeons; but for Quietness sake, they agreed upon an Order of Reference, and the Kite was to be Arbitrator. The Cause was heard, and the Judgment given for the Crows.*

## M O R A L.

Ask my Brother If I am a Thief: One Criminal upon the Bench, will be sure to bring off another at the Bar.

## Reflection.

*Innocency is almost sure to be worsted, wherever it may be abused with Security and Advantage; Guilty or not Guilty, is not so much the Point in the Case here of the Crows and Pidgeons; for the Matter in Question is, the Person or Party, not the Fault; the one's in the Plot, let him be never so Innocent; and the other is as white as the driven Snow, let him be never so criminal, there are Clubs, Cabals, Ignoramus's, false Witnesses among Men, as well as among Birds, with all the pompous Formalities of countenancing Fraud or Corruption, with the Sacred Name of Justice. Set a Kite upon the Bench, and 'tis Forty to One, but he'll bring off a Crow at the Bar. Briefly, there is nothing more in the Iniquity of this Fiction, than what we see every Day made good in common Business and Practice, 'tis but dressing up a Bird of Prey in his Cap and Furs, to make a Judge of him: And so for a Knight of the Post, 'tis but dubbing him with a Title of King's Evidence, and that Work is done: For in these Cases, Judge, Jury, and Witnesses, are all of a Piece.*

I leave

John Love, Tho. Bean, &c. 35

*I leave the World to judge, how this Moral is applicable to the present Case of us poor, tender, young Ladys. One may easily guess, who the Kite, who the Crows (where some \* Got upon a cursed \* Hasel Stump) and others perch'd upon a bloody, & ceitful, broken \* Reed; and who the poor, harmless, oppress'd Pidgeons. So wishing Prosperity to the Church of England, and to the Members thereof, I bid you all adieu, and wish you may see better Times.*

*This is a true Copy of my own Hand-writing, which I intend to give the Sheriff.*

*Sept. 21.  
1716.*

*Thomas Bean.*

*\* The Names of the two Witnesses against him, and Mr. Read of the Mug-House.*



*The TRYAL, &c. of  
John Nash.*

**H**E was apprehended at the same time with the foregoing Persons, but being very ill of the Wounds he had receiv'd in the Riot, was not try'd with them; but was indicted, and afterwards try'd

try'd at the Old Baily, October the 10th, 1716.

*John Boyle* deposed, That he lodg'd at *Mr. Read's* House. The Court desir'd him to give an Account what their De-meanour was, when the Company, which used the House, met together? He answer'd, he never knew the Society give any Provocation, or Affront to any Person, except, that once they turn'd a Man out of the House for hissing at the Duke of *Marlborough's* Health. The Court ask'd him whether they ever drank Confusion to any Persons, or to any Sort, or Order of Men? He answer'd, he never heard any Confusion drank but once, and that was Confusion to the *Ottoman* Attempts against Prince *Eugene* and the Empire, or to that Effect.

*Mr. Arrowsmith* confirm'd what this Evidence had sworn; adding, that they endeavour'd to defend themselves in the House, till some Persons got in at the back Windows, and forced him out of the House into the Street, where the Mob knock'd him down, dragg'd him along the Channel, beat him, and the Women struck him over the Head with their Pattens, till they had cut him to the Scull; and he believed he had been Murder'd, had it not been for the Assistance of *Mr. Cheesebrook*, the Clerk of the Artillery



Artillery Company, who got him to the Castle Tavern, and had his Wounds drest. That when he came out again, the two Constables, who had been there the Night before, seiz'd him, and carry'd him to another House, and told him they would have the Satisfaction to see him Hang'd. To whom he reply'd, He had now the Satisfaction to know he should not be Hang'd that Day.

Mr. *John Collins* confirmed what had been before deposed; adding, That he saw the Prisoner, who had a black Patch on his Nose, very busy in the House, with an Instrument like a Butcher's Cleaver, breaking the Sashes and Frames of the Windows, and cutting one of the Side Posts, all the while joyning in the Cries of *High Church and Ormond, &c. down with the Mughouse, no King George, no Hanoverians, &c.*

Mr. *Robins* confirm'd the same.

This was confirmed by *Richard Nevil*, and *Tho. Bond*.

*Samuel Gott* added, That the Prisoner being busied in demolishing the House, as before, hearing a Report, the Guards were come, went away towards *Water Lane*; but it proving false, he returned, and went to his Work again. The Evidence being plain, the Jury found him Guilty. He received Sentence of Death, but was not Executed.

*The*

*The T R Y A L S, &c. of*  
 James Beaver, William Eldridge, Hester Stibbs, Eleanor Hornesby, and Ann Lane.

**T**Hey were all five indicted at the *Old Bailey*, *October* the 11th, 1716. for a Riot, in Assembling themselves, with divers other Persons, in a riotous manner, under a pretence of celebrating, in a publick and disorderly Manner, the Burial of *Thomas Bean*, a Malefactor, convicted last Sessions for Felony, on the Statute of the 1st of *King George*, and Executed for the same, and in open Contempt of the Government and the Laws of the Land, on the 30th of *September*, 1716.

*Mr. Carleton Smith* deposed, That the *Friday* before, the Lord Mayor having Information, that a Procession was intended to be made the next *Sunday*, by a number of Persons, who were to be dress'd in white Hoods and Favours, and to walk in that manner through the Principal Streets of *London*, his Lordship gave him Orders to enquire diligently into it, and endeavour to find out where they who composed it were to assemble; and about 9 a clock that Morning, he saw a great Crowd of People (near 100) in

*The Tryals of James Beaver, &c.* 39

in *Salisbury Court*, and thereupon he went back to acquaint the Trained Bands with it, who were posted at *Bridewell*. Thereupon they went up to the Multitude and bid them disperse; which signifying but little, they drove them away by Force; that in the Afternoon he went in search of them again, up and down, where he imagined they were; and about 3 a clock saw a very great concourse of People, at the farther end of *Water-lane*, but did not think proper to go too near them being alone, lest he should be Discover'd, and inform'd himself of their Motions by another Observer. Then he went to the Captain of the Trained Bands, who sent a Detachment to disperse them; but when they came they were gone to *Black-Fryars*; upon which they followed them, and saw them upon the Water in two Boats: And one of them having got off some time before, they took only one of the Boats. That upon that, he would have had the Train'd Bands to level their Guns, to make that Boat bring too, but they did not think fit so to do; and that *Beaver* jump'd out of the Boat to make his escape, but was taken. The Men had white Gloves and Favours, and some of the Women white Favours, white Sarsenet Hoods, and white Gloves. That the Prisoners were carry'd before the Lord Mayor

Mayor, and said upon Examination, They were going to *St. George's Church*.

Mr. *John Hall* deposed, That being with the Captain of the Train'd Bands that afternoon, Mr. *Smith* came to them and said, there was a great multitude of People in a Procession in *Water-lane*: Upon which a Detachment was ordered out; and he went after the Prisoners to observe their Motions, and saw them take Boat at *Black-Fryars Stairs*; but that not being sufficient for them all, and no other being ready, he hastened to the Officer of the Train'd Bands, that he might overtake some of them before they could get off; who therefore march'd with all Expedition, and came up with the Prisoners just as they had put off: Upon which he jump'd into the Water, and caught hold of the Boat Rope, and haul'd it to Shore. There were also three others with them dress'd after the same manner, whom the Lord Mayor Discharg'd, it appearing they had not been at *Bean's* Funeral with the rest, but were invited into the Procession by the Prisoners.

Lieutenant *Blackwell* deposed, That on the Day aforesaid he marched under Capt. *Kelson* in the Train'd Bands, who having Notice of the Design of the Prisoners, and others, to make a Procession, as has been mentioned, commanded him to  
march



march with the greatest Expedition and overtake them: But coming to *Water-lane*, he received Information by the Mob that they were gone, who hiss'd at and shov'd his Men, hollowing for Joy of their Escapes, and crying out, *They were gone, they were gone.* But Mr. Hill bringing him Advice that he might still come up to them before another Boat could be ready to carry them off. He pursued his March to *Black-Eryar's Stairs*, and there took the Prisoners. They all endeavoured to excuse themselves, saying, *We have done no harm, can't we go where we will with our own Favours?* and such-like. He added, that he had received Information, that the Procession was to have consisted of 2 or 300 dress'd like them; who were to go into *St. Sepulchres Church*, and afterwards take a turn round by all the Mughouses, and then to *St. Brides Church*, where *Bean* was Buried, to Commemorate him: which being a most infamous Contrivance to disturb the Peace of the City, and His Majesty's Government, and in open defiance of the Laws of the Land, he thought it his Duty to give Notice of it to my Lord Mayor; for which Service, some of the Leaders of the Party had since Arrested him in an Action of 50 l.

Capt.

Capt. *Kelson* swore, That his Lieutenant came to him and inform'd him of the Procession a Day or two before, and it being his turn to march that Day, they went together to the Lord Mayor to acquaint him with it, and receive his Orders. Upon which his Lordship bid him go to his Major for Orders to raise his Company that Morning by 7 a clock; that *Sunday* Morning; those Orders he already had, being to meet at 4 in the Afternoon; which he accordingly did, and was upon Guard with his Company by 9; and some time after, two Constables, one of which was *Mr. Johnson*, who encourag'd the Riot in *Salisbury Court*, came to him, and ask'd him, why he suffer'd such a Mob in the Streets, having Power and Instructions sufficient to disperse them? Upon which he order'd a Detachment to assist the Constables in the performance of their Office, according to the Directions of the Lord Mayor; and also another with his Lieutenant, to pursue the Prisoners.

*Mr. Robinson* deposed, That being a Constable, he was desired by Lieutenant *Blackwell*, the *Saturday* Night before, to accompany him to *Salisbury Court* that *Sunday* Morning; which he did, and went with the Detachment to *Black Fryars*, where he was charg'd with the Prisoners,  
after

James Beaver, Will. Eldridge, &c, 43

after they had been taken in manner  
aforesaid. That they said they had done  
no harm, but had chosen the by Ways  
to prevent giving Offence; and that  
they passed through hundreds of People,  
who were very rude, violent, and tu-  
multuous.

The Prisoners, *Beaver* and *Eldridge*,  
said in their Defence, that they were in-  
timately acquainted with *Bean*, and were  
invited to his Burial by his Mother; af-  
ter which, they agreed to go with the  
rest, who were also invited to Church in  
their Favours, and other funeral Orna-  
ments, as was usual in such Cases, and  
never thought nor intended to give Of-  
fence; and humbly hop'd, that the Court  
would consider their Youth, and Unexpe-  
rience, and not punish that for a Crime,  
that was never intended by them to be  
one.

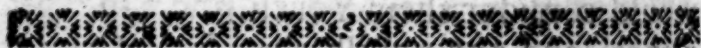
The Women likewise pleaded much to  
the same purpose, That they were invi-  
ted to the Burial; and *Stribbs* said, she  
made an Excuse to go see her Aunt, to  
her Master, when she went to it.

*Lane* said she was *Bean's* Fellow-Servant;  
and *Hornesby*, that she liv'd once in the  
same Court with him. And they all said,  
that they furnish'd themselves with what  
Ornaments they had, and thought they  
had committed no Offence, nor done any  
thing

thing but what was usual. And all of them own'd, that what they had done, was in respect to *Bean's* Memory.

One of the Men said, there was but 7 or 8 Couple. But the Evidence against him swore, there were 20 or 30. Upon which he reply'd, the rest did not belong to them, nor did he know them, but thought they might be long to another Funeral, which hapned the same Morning in *St. Brides Church-yard*.

Then the Lord *Parker* summed up the Evidence; which the Jury considering, brought the Prisoners in guilty of the Indictment; and the Court laid on them a Fine of 20 Marks a Piece.



*The TRYALS, &c. of*

*Johnson Burdett, and Thomas Winchurst.*

**T**HEY were indicted at the *Old Bailey*, *Jan. 12, 1717.* for an Assault and Murder, committed on the Body of *Robert Faulkner, Esq;* on the 30th of *December*, the former by giving him a mortal Wound with a Sword, on the Right side of his Body, near the Right Pap, of the breadth of



of half an Inch, and the depth of 12 Inches, of which he instantly died: And the latter for an Assault, and Aiding and Abetting in that Murder.

They were a second time Indicted on the Coroner's Inquest for the same.

Likewise a Third time upon the Statute of Stabbing, for the same.

*Kelson, Shaw, and Colson*, three Watchmen, depos'd, That on the 30th of December, about 11 a clock at Night; they going to enquire for the Constable, met the Prisoners in *Drury Lane*, in Company with one Mr. *Moor*, not yet taken, who seem'd to be in a very quarrellsome Humour; and that Mr. *Moor* said to them, *What, are you the Walking Watch?* They reply'd, *We are the Watch.* He answer'd, *G-d d--n you, you'll dance all Day long after a Gentleman to get a Pint of Drink of him.* One of them replying, *We ask nothing of you, Sir;* he return'd, *G-d d--n you, if you did, I would sooner give you the point of my Sword in your Guts, than Three Halfpence; and I would kill a Dozen of you for that Money, or Words to that Effect:* Upon which Mr. *Vinchurst* reply'd, *so would he too, if he had a Sword.* They thinking them bent upon Mischief, (having taken Notice of some of them before for such Enterprizes) to avoid a Fray, turned away from them, going down

down *Colson's Court* to seek for the Constable at the *Horshoe-Tavern*; where they found a Chair standing at the Door, and the Deceas'd coming out of the Tavern, and a Woman with him Arm in Arm. That the Woman perswaded the Deceas'd to let the Watchman light him; to which he consented; saying he would give him something when he came to the Place where they were to go. Whereupon the Watchman lighted him along. They met the Prisoners in *Holford's Alley*, leaning their Heads against the Wall as if they had been Vomiting, and that presently Mr. *Winchurst* turn'd to the Decas'd and the Woman, as did also Mr. *Burdet*, and both of them jostled the Deceas'd and Woman very rudely, *Winchurst* making use of very bawdy and obscene Language: To which the Deceas'd made no other Return, but *Fie! Gentlemen, what do you mean? Why are you so uncivil? Why do you affront me and my Wife?* and such like Language: And that without any other Provocation, Mr. *Winchurst* cry'd out, *Draw, Burdet, draw, G---d d--n you, Burdet, draw,* urging him so to do. And Mr. *Burdet* not drawing so soon as he would have had him, he made two Offers to draw Mr. *Burdet's* Sword; but *Burdet* having his Hand upon the Hilt of his Sword, did not permit him, but immediately

ately drew it himself, presenting the Point two or three times towards the Deceas'd; who seeing *Burdet's* Sword drawn, also drew his Sword, and endeavour'd to put himself in a Posture of Defence as well as his present unhappy Condition would permit, he being much in liquor: Whereupon *Burdet* retreated two or three Yards back, flourishing his Sword, and then advanced with great Fury, running upon the Deceas'd, and thrust him quite through the Body, bore him down backwards, and fell upon him, receiving at the same time a Wound on the Right side of his Chin, by the Point of the Deceased's Sword.

*John Wilson*, Drawer at the *Horseshoe-Tavern* in *Drury-lane* depos'd, that Capt. *Faulkner* came some time before thither with one *Mary Lewis*, being very much in Drink when he came in, and having had Three Pints of Wine, they were for going away, and that a Coach was call'd, but none coming, they had provided a Chair, which stood ready at the Door: That he and Mrs. *Lewis* going away while he had the Candle and Reckoning in his Hand, his Mistress perceiving that the Captain going out, did not take the Chair that waited for him, but went with the Woman, she sent him immediately after him, least (as she said) he should come to some loss

lofs by her. He with the Candle and Money in his Hands ſtept immediatly to the Door, ask'd the Chairmen how it came about they did not carry the Capt. home? who reply'd, they did ply him, but he refus'd to take them; whereupon he bid them follow immediately, for he ſhould be carried by them. He went as faſt as he could, they following him, and when they were come near they perceiv'd Mr. *Burdet* run violently upon the Captain, bearing him down backwards and falling upon him, and that they took him from off the Captain, taking up the Captain alſo, and ſetting him up againſt the Wall, he ſtood about the ſpace of a Minute, and then fell down; That they open'd his Breſt but could not ſee the Wound; but carrying him into the Tavern ſoon found where 'twas, and ſent immediately for a Surgeon, but before he could come he was dead; the Priſoners being firſt apprehended by the Watchmen, Chairmen, and himſelf. There were other Evidence, as *Mary Lewis*, and ſeveral others, who look'd out at their Windows and ſaw the Action, who corroborated the aforeſaid Depoſitions in many of the material Circumſtances relating to the Fact. *Johnson Burdet* pleaded in his Defence, That he thought the Deceas'd's Sword was drawn when he drew

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drew his; and that he had no Malice against the Deceased, having never seen him in his Life. *Winchurst* pleaded that they had been drinking, and were very much in Drink as well as the Deceased; but that the Alley was narrow, and so they might jostle one another by chance, and that they did not do so designedly: He likewise insisted upon it that he had neither Sword nor Stick, nor had any Malice against the Deceased, he being a Stranger to him. He pleaded likewise, that he would have prevented the Mischief, crying out, *Sieze their Swords, Sieze their Swords*, which the Watch acknowledged; but at the same time said, that he did not do so till he saw the Deceased kill'd. And was the principal Cause of his being kill'd, in being the first Beginner of the Fray, and the most violent Promoter of this Disaster. And as to the Plea of not having any Malice against the Deceased, they were answer'd by the Judge, That those Persons who went upon such Adventures, first to pick Quarrels with peaceable Persons they met, and unknown to them too, and afterwards to Kill them, had Malice against all Mankind. They called some Persons to their Reputation, but the Jury considering the Barbarity and Inhumanity of the Crime, found them both Guilty of all three Indictments. And they receiv'd Sentence of

Death: after which Mr. *Johnson* gave the Ordinary this Account, That he was 32 Years of Age, Born at *Sandon* in *Essex*, of good and Virtuous Parents, who gave him a liberal Education, and designing to bring him up to the Law, put him to an Attorney in *London*; but he growing loose and unruly, soon left his Master, and would not apply himself to any thing that was Commendable, but follow'd ill Company, by which means he grew Worse and Worse, spending Nights and Days in rambling Abroad, Rioting and Drunkenness, in Chambering and Wantonness, utterly forsaking the good way of Religion and Virtue he was brought up in; not only neglecting Holy Duties, but abandoning himself to the Commission of the foulest Crimes, and even on the Lord's Day, and upon such a one he committed that which he was then to Dye for: That when he came in a calm and sedate mind to reflect on these Things, he could not but be sensibly griev'd, and Lament his past Sinful Course, praying to God for Grace and Mercy. *Thomas Winchurst* said he was 20 Years of Age, born in *Whitcross-street* in *Cripplegate* Parish, that he liv'd 2 Years with an Attorney, but having no Inclination to that Profession, he left him, and then betook himself to the same Loose and Vicious Courses as his Companion had done: He said he was then

then sensible that such wicked Actions, together with the total neglect of God's Service, had not only brought him to that sad End; but put him in eminent Danger of Eternal Ruin hereafter; and therefore begg'd of God Mercy and Forgiveness, being come to the Place of Execution, they desired the Spectators to take warning by them, and pray for their departing Souls. They were Executed at Tyburn the 1st of February 1717. In company with *William Farendine* and *Thomas Whitehead* for Burglary, *Mary Price* alias *Cook* for Shop-lifting.



The T R Y A L, &c. of  
**LAWRENCE HOWEL.**

**H**E was indicted at the *Old Baily* the 27th of July, 1717. for a Misdemeanor in publishing a seditious and scandalous Libel, the 31st of August before, intitul'd, *The Case of Schism of the Church of England truly stated*. Wherein are contain'd Expressions, denying His Majesty's Title to the Crown of this Realm, and asserting the Pretender's Right to the same, highly reflecting upon the whole Body of the Church of *England* as by Law Establish'd; Bishops, inferior Clergy and La-

ity, denying the Validity of their Ordination and all their Offices, and representing them all as Schismatics excommunicated *ipso facto*, and saying they ought to be all treated as such; asserting, that whosoever went to the Parish-Churches, and performed Holy Duties with any of them, their Prayers, Sacraments, and Holy Duties, were all Sin; and several other Things of the same Nature: And that none are of the True Church of *England* but the Non-jurors; that none are true Ministers, but they that have their Ordination from true Bishops, and none were true Bishops but the Pretenders; and several things of the same Nature. The Instrument of his Ordination was read in Court, sign'd *Georgius Hickes*, under the Denomination of Bishop of *Thetford*. The Council for the Prisoner was Mr. *Kettleby*, who indeed did not at all go about to justify any one of the seditious and scandalous Passages contained in the Libel; but only argued strenuously against the Libel's being found upon the Prisoner, being a Publication according to Law. Mr. *Roberts* and Mr. *Blissington*, two Messengers, deposed, that having receiv'd Orders to take Mr. *Howel* into Custody, they went to his Lodgings and seized about 1000 of those seditious Libels, and the Manuscript Copy from which they were composed; and that the Prisoner tore part of the Manuscript



manuscript Copy in pieces before them, but they secured some part of it, which was produced in Court, and appear'd to be the Original Manuscript from which the Libel was composed. *William Noast* deposed, That the Prisoner used to attend the Press, and Correct the said Libel while it was printing; so that it was proved to be a notorious Publication according to Law: whereupon the Jury found him Guilty of the Indictment. And he was Sentenced by the Court to suffer Three Years Imprisonment, to pay a Fine of 500*l.* and to find Sureties for his good Behaviour, at the receiving his Sentence, Sir *James Bateman*, then Lord Mayor taking notice that he behaved himself in a Contemptuous Manner, putting on his Hat, &c. before, the Court therefore call'd him back to the Bar, telling him that whereas he had represented the Court, &c. as Schismaticks, they had greater reason to account him so, and since he behaved himself Insolently, he should be Stript of his Gown, which he had no Right to Wear, having prov'd no Ordination, but from Dr. *Hicks* under the Denomination of Bishop of *Thetford*, which was not own'd nor known by the Law of *England*, and therefore Commanded the Executioner to Strip him of his Canonical Habit, in the Face of the Court, which was done accordingly: after which he was remanded back to New-

gate, and having fulfill'd his Three Years, lay for the Payment of his Fine, till July 1720. at which time he Died, and was buried in the Curch-yard of St. Andrews Holborn.



The TRYAL, &c. of  
JOHN TOMKINS.

HE was indicted at the *Old Baily*, February, 27th 1717. for the Murder of *Judith Spoonly*, the 26th of January, by giving her a Mortal Wound with a Sword on the right side of her Belly, of the Breadth of one Inch, and the Depth of seven Inches, of which she instantly died. He was a second time indicted upon the Coroner's Inquest for the same. And likewise a third time upon the Statute of Stabbing.

The Coachman deposed, that he having been dressing his Horses, came into the House for something he wanted, and was told by *Elizabeth Parrot*, that the Butler and Cook were quarrelling; but he said, he did not care to concern himself, and so went not in, till he heard the Deceased cry out Murder; and then running into the Kitchen, he saw the Prisoner putting a Sword

a Sword into the Scabbard, and the Maid holding her Hand upon her Belly, but never spoke afterwards.

*Elizabeth Parrot* deposed, that she heard the Prisoner swear at her, and say, he would do her Business for her: That she went out of an Errand, and returned in the space of a few Minutes, and she was dead. The Surgeon deposed, that when he came, the Deceased was dead, and that he found a Wound in her Belly, which Wound was the cause of her Death.

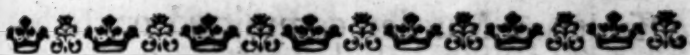
*John Bean*, Colonel Clayton's Servant, deposed, That having been abroad, he came home, and met his Master and Lady in the Entry, who told him, they knew not what the Butler had done to the Cook, but she was in a very bad Condition, and that the Butler was gone; whereupon he went into the Kitchen, and found the Deceased sitting on the Ground, supported by others; that he saw no Blood; that she had Life, but could not speak; but removing her to another Place, they saw some Blood, and being searched by a Maid, they found she was wounded in the Belley. He went immediately in quest of the Prisoner, and found him at his Brother's House in *Short's-Gardens*: That the Prisoner asked him if the Maid was dead, he (to get him to come along with him the more easily) told him No; he had only given her a flight

slight Wound in the Thigh : whereupon the Prisoner came along with him ; and enquiring the Reason of his doing the Fact, he said, the Deceased had given him provoking Language : When they came near the House, the People in the Street said the Maid was dead, upon hearing which, he would have gotten away, but he secured him.

The Prisoner in his Defence said, that she had given him very provoking Language, and was going to throw something at him ; that he drew the Sword designing only to frighten her, intending only to run it between her Arm and Body, but she ran upon the Sword, and forc'd it into her Belly, &c. Upon the whole, the Jury found him Guilty of all thre Indictments, and he received Sentence of Death accordingly. The Account he gave the Ordinary was only this that follows ; That he was born at *Malpass* in *Cheshire*, brought up to no Trade, but only was Servant to Gentlemen from his Youth ; he declair'd himself to be of the Popish Religion, and upon that account declin'd receiving any Instructions from the Ordinary, but only confessed, he had been a common Sinner, and was Sorry for it, and particularly for this Murther ; which at first he did not think his Passion would have carried him so far as to commit. But as for any other  
Confession



Confession he desir'd not to be put upon it, nor to have any thing offer'd to him contrary to his Principles; for as he had been brought up, and had always liv'd a Member of the Church of *Rome*, so he resolv'd to die in that Communion, he was Executed at *Tyburn* in the 37 Year of his Age, in Company with Fourteen other Malefactors following.



*The T R Y A L, &c. of*  
John Sweetbones of Acton.

**H**E was indicted at the *Old Baily* the 27th of *Feb.* 1717. for breaking the Dwelling-house of *William Trafford*, and stealing from thence a *Holland shirt*, value 5s. a *Cloath and Wastcoat*. value 4s. the 8th of *April*. The *Prosecutor* deposed, That the *Wall* of his *House* was broken, and the *Goods* taken away; that his *Daughter* saw him with the *Stockings* on his *Legs* and his *Shirt* on his *Back*. The *Constable* and his *Assistant* deposed, That when they apprehended him, he confess'd the *Wastcoat*, and promised, that, if they would let him go, the *Prosecutor* should have his *Wastcoat* again, and he would

58 *The Tryal, &c. of*

never come to *Alton* more; that the Waist-coat was produced, and after he was very desperate and mischievously bent, attempting to catch up a Hedging-Bill, and afterwards caught up a Smoothing-Plain, and knocking out the Chisel, swore he would Split the Man down that should come near him, and at last made his Escape out at the Window.

He was a Second time indicted for an Assault and Murder committed on the body of *John Mims* near *Alton*, by giving him one mortal Wound, with a Hammer on the Left side of his Head, of the length of one Inch, and the depth of a quarter of an Inch, on the 22d of *December*, of which he languished till the 24th, and then dyed. *Thomas Peacock* deposed, about Six of the Clock in the Evening, the 22d of *December*, his Son having been out, told him he heard a Hollowing in the Field; upon which he went out and heard it, and the Hollowing still continued; he thought at last it must be somebody in Distress, and went to get some Neighbours to go with him, but they all refusing, he did not go; but the Hollowing still continuing he was confirmed in his Opinion, and observing that the voice grew weaker and weaker, took a Candle and Lanthorn and Pitchfork and prevailed with one to

go with him: so having Company he made towards the place where the Voice was, and found Mr. *Mims* leaning upon the Stile, all over of a gore Blood; his Pockets turned inside out, his Shirt out, and he seemed to have been dragg'd along the Ground, where he supposed they, who left him in that Condition, thought they left him Dead; but he recovering himself, had gotten to the Stile. By that time they got up to him he was Spent, and they endeavouring to lead him home between them, before they had got him 4 Yards he fainted; and asking him who had made him in that Condition, he had only Strength to say one, and said no more; they with much Difficulty got him home, being then *Saturday*-night, and on the *Monday* following he dyed. *Thomas Ogleshaw* deposed, That a little before 5 of the Clock in the Evening he met the Deceased, about a Mile and half from that place, going home, and had a Hat on when he met him; which Hat was found in the Custody of *Christopher Barnel*, who deposed, that he bought that Hat the Day before *Christmas*-day of *Elizabeth Lewis*. *Elizabeth Lewis* deposed, that Hat was flung down into the Celler of *Elizabeth Alloway*. *Elizabeth Alloway* deposed, That she found it going down into her Cellar, and that

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*Swicebones* said the Hat was his, and he flung it down there out of Roguery. *Mr. Prince* and his Wife, in *St. Giles*, where he lodged, deposed, That the Prisoner went away on the *Friday* the 21<sup>st</sup>, and said he was going to *Acton*, to see his Mother, and came home about 8 of the Clock at Night on *Saturday* the 22<sup>d</sup>. *Elizabeth Lewis* deposed, That when the Prisoner went away on *Friday* the 21<sup>st</sup>, he said he had no Money, and borrow'd 6 *d.* of her. They deposed likewise, that when he came home he asked *Mrs. Prince* what he owed her, and when she told him, he gave her a Guinea to change, out of which she received between 16 and 17 *s.* And then he gave her a Guinea to lay by for him. He said his Mother had given him that Money, *i. e.* two Guineas out of 3. Which was all she had: They deposed likewise, that his Sleeve of his Frock was torn almost off, and his Hands all Bloody; they asked him how he came to be so, he replied that he had been Fighting with a Friend that he loved as dearly as his own Brother in *St. James's Hay-Market*. They ask'd him how he happened to have 2 Hats, he told them, that he had taken his Friend's Hat and his own too. This was likewise deposed by one *Mr. Cheesebrook*. *Mary Beal*, Granddaughter to the Deceased, swore positively, that a Key which was taken from the Prisoner,

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Prisoner, and which he owned to be his, was a Key of her Grandfathers that he usually carryed in his Pocket. The Prisoner in his defence denyed he had been at *Acton* that Day; he said that he had the Mony of his Mother in the *Hay-market*; likewise, that the Hat was the Hat of his Friend (who he said was his Cousin) and with whom he had been Fighting; that the Key was his own, and he had had it 3 Years. Being asked, why he did not produce that Friend with whom he had been Fighting, he said he was gone to *Scotland*, *Edward Parks* deposed, that the 16th of *January* he lifted the Prisoner as a Dragoon, that hearing of his being like to be charg'd with this Murther, he advised him to go down to the Regiment; but he answered, he had done nothing, and did not fear. After a full hearing of these Matters, the Jury acquitted him. But the Court seeming not pleased that they had notwithstanding such strong presumptive Evidence acquitted him. He was the next Day indicted for Robbing *John Mims*, and taking from him a Hat, value 7s. And a Key, value 1s. the 22d of *December*. *Thomas Ogleshaw*, the *Hatter*, who sold the Deceased the Hat, deposed, he saw the Deceased with this Hat upon his Head a little before he was Murthered, and about a Mile and half from the Place, *Christopher Farnel*

*nel* deposed, he bought that Hat the *Monday* before *Christmas-day* of *Mrs. Lewis*, who deposed, That *Elizabeth Alloway* brought this Hat out of her Cellar. *Elizabeth Alloway* deposed, that the Hat which *John Sweetbones*, the Prisoner, throw'd down her Cellar, she sold to *Christopher Farnel*. *Mary Beal*, the Deceased's Grandaughter, swore positively that the Key produc'd in Court was her Grandfather's Key. *John Peacock* deposed, he had try'd that Key and it did open and appear'd to be the Key of the Deceased's Box, where his Writings and such things Lay. His Mother being in Court could not swear that she had given him any Money, but only said his Sister told her that she had given it him. Upon the whole, he not being able to prove any one thing he had said, nor say any thing but what he had said upon the last Indictment, the Jury found him guilty of This. And he Received Sentence of Death.

*John Sweetbones*, said he had served an Apprentiship with a Butcher, at *Acton* in *Middlesex*, and came up to *London* about a Year before, and had Wrought at his Trade: He at first denied the Fact, but afterwards own'd it, but being just agoing to be turned off he denied it again. He was Executed at *Tyburn* in the 20th Year of his Age, in Company with *John Tomkins* for Mur-

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Murther, *John Keys* and *Abel Ball* for pulling off Pockets, *John Giles*, *William Clark*, *Matthew Adcock*, *Edward Elton*, *John Burch*, *William Stone*, *Richard Chapman*, *John White*, and *Arnold Powel* for Burglaries, *Samuel Sherman*, alias *Lawson*, alias *Falston* for Felony, and *Elizabeth Brown* for picking a Pocket *March*, 20th 1717.



The TRYAL, &c. of  
JAMES SHEPPARD.

HE was indicted at the *Old Baily* *March* the 6th 1717. For High Treason in Imagining and Compassing the Death of his Sacred Majesty King *GEORGE*. The Prosecution was managed by Sir *Edward Northey*, Attorney General, Serjeant *Cheshire*, Mr. *Reeves* and Mr. *Northey*, Council for the King; who having opened the Cause, acquainted the Court with the Reasons for the Prosecution of the Prisoner, and supported the Charge by the following Evidences.

*Martha Wale* servant to Mr. *Leak* deposed, That the Prisoner came on *Friday* the 24th of *January* to her Master's House, enquiring of her if her Master was within;  
to

to which she answered *No*. Whereupon he gave her a Letter, which she carry'd in a Doors and deliver'd to Mr. *Leak*, her Master's Daughter, who reading the Superscription found it directed for the Reverend Mr. *Heath*, and thereupon said it was not for her Father: However, laying the Letter by till her Master came home, it was given to him; and he seeing the Superscription, said it was not for him; upon which she telling him it was left by the Prisoner to be deliver'd to him. Her Master open'd the Letter and read it to himself, telling them it was a Villainous Letter, and read it to her young Mistress and to her, and saying it was not fit to be kept, threw it into the Fire, and afterwards went up into his Study; but some little time after came down again, saying he would go and acquaint Sir *John Fryer* with it, which he did. And added, that she afterwards hearing the Letter read at the Lord *Sunderland's* Office, which the Prisoner wrote before Sir *John Fryer*, she did believe it was the same that her Master had read to her and burnt.

Mrs. *Mary Leak* depos'd much to the same Purpose, confirming all that *Martha Wale* had said: And being asked if she remembred the Contents of the Letter that her Father had read to her and the Maid, and burnt; she answer'd, that the Con-

tents



tents were concerning destroying the King; and she did believe it was much the same which the Prisoner afterwards wrote before Sir *John Fryer*.

Mr. *John Leak* depos'd, That on *Friday* the 24th of *January* at Night, he having been abroad, when he came home a Letter was given him by his Maid, which was subscribed *For the Reverend Mr. Heath*; that upon seeing the Superscription he doubted of its being for him; but was told by the Maid that it was left for him; that then he considering also that there was no such Person as Mr. *Heath* a Clergyman in that Neighbourhood, opened the Letter, and having read it to himself, told his Maid and Daughter it was a wicked and villainous Letter, and afterwards read it to them, and in Abhorrence of such a villainous design, threw it into the Fire and burnt it. That then he went up into his Study, and there considering on the matter, and suspecting some malicious Person had sent it, with a design to get his House afterward search'd, and finding it, to fix an Odium upon him, he thought it advisable to acquaint the Alderman of the Ward with the Matter; which he did the next Morning being *Saturday* the 25th of *January*. That then he going to Sir *John Fryer*, he told him the Person who brought the Letter ought to have been seized; to which he replied, that he remem-

remembred the Person who had left the Letter signified he would come again on the *Monday* following: Sir *John* thereupon order'd him, if he came, to get a Constable and secure him; and that the Prisoner coming to him on the *Monday* following, he ask'd if his Name was *James Sheppard*, and if he left a Letter for him on the *Friday* before? To which he replied, *Yes*. That then he sent for a Constable and carried him before Sir *John Fryer*; where he being examin'd, owned the bringing of the Letter, and also wrote a Copy of the Letter; which did very much agree with the Letter which had been left for him, and which he had burnt.

Sir *John Fryer* depos'd, That upon *Saturday* Morning the 25th of *January*, Mr. *Leak* came to him and acquainted him there had been a very wicked and Treasonable Letter sent to him, telling him the Contents of it in a sort of an Agony; that he asked him if he knew the Person who sent it? to which he replied, *No*; but he did remember the Person had signified that he would come again on *Monday*; and that thereupon he gave him Orders if he did come to secure him, and carry him before the Lord Mayor or some other Justice of the Peace; and accordingly he being on *Monday* with some Gentlemen at the *Fountain Tavern* at *Stocks-Market*, his

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Man came to him and told him, that Mr. Leak, a Constable, and the Prisoner wanted to speak with him. That he order'd his Man to get a Room below Stairs, and desiring Mr. *John Nichols* and Mr. *Henry Langly*, who were in his Company, to go in with him, he examined the Prisoner, asked him if his Name was *James Sheppard*, and if he had deliver'd a Letter to Mr. *Leak's* Maid on the *Friday* Night before, signed for the Reverend Mr. *Heath*? To which he replied, his Name was *James Sheppard*, and he had deliver'd such a Letter; that then he ask'd the Prisoner if he had a Copy of that Letter? To which he answer'd, he had no Copy of it about him; but that if he had Pen, Ink and Paper, he could soon write a Copy of it, having it in his Memory. That he then order'd Pen, Ink and Paper to be brought, and the Prisoner sat down in the Room, and having written the Letter, brought it to him; but had not put his Name to it. That then he bid him put his Name to it; which he did with a great deal of Readiness, and afterwards read it with much Presence of Mind and Calmness of Temper, telling him that he did believe that to be a true Copy of the Letter he had left at Mr. *Leak's* House the *Friday* before, and that, if it differed at all it was but in some very

very few Words; this being produc'd in Court, was read, and is as follows:

SIR,

**F**ROM the many Discontents visible throughout this Kingdom, I infer, that if the Prince now reigning could be by Death remov'd, our King being here he might be settled on his Throne, without much loss of Blood. For the more ready Effecting of this, I propose that if any Gentleman will pay for Passage into Italy, and if our Friends will intrust one so Young with Letters of Invitation to his Majesty, I will on his Arrival smite the Usurper in his Palace. In this Confusion, if sufficient Forces may be raised, his Majesty may appear; if not, he may retreat or conceal himself till a fitter Opportunity. Neither is it presumptuous to hope that this may succeed, if we consider how easy it is to cut the Thread of Human Life; how great Confusion the Death of a Prince occasions in the most peaceful Nation, and how Mutinous the People are, how desirous of a Change. But we will suppose the Worst, that I am seized and by Torture examined. Now that this may endanger none but my self; it will be necessary that the Gentleman who defrays my Charges to Italy, leave England before my Departure; that I be ignorant of his Majesty's Abode; that I lodge with some Whig; that you abscond, and that this be communicated to none. But be the Event as it will, I can expect nothing less than

a most



a most cruel Death; which that I may the better support, 'twill be requisite that from my Arrival till the Attempt, I every Day receive the Holy Sacrament from one who shall be ignorant of the Design.

JAMES SHEPPARD.

Sir John Fryer added, That he having read the Letter, ask'd him if that was a true Copy of the Letter left by him for Mr. Leak; to which he answered again, It was, to the best of his Memory. That thereupon he sent for some Officers from the Compter and committed him there, and afterwards went with Mr. Leak, his Daughter, Maid, Mr. Nichols and Mr. Langley to the Lord Sunderland's Office, where the Copy of the Letter which he had so written was produc'd and read to him, which he owned with the greatest Unconcernedness imaginable.

Mr. John Nichols confirmed what Sir John Fryer had depos'd, As to the writing the Copy of the Letter, and his being examined before Sir John Fryer; adding, that Sir John asking him his Name, Place of Abode, Age, &c. And whether he carried the Letter, of which that he wrote was a Copy, to Mr. Leak? He reply'd his Name was James Sheppard; that he liv'd with a Coach-Painter in Devonshire-street; that he was 18 Years of Age; that tho' the

the Letter was subscribed for Mr. *Heath*, it was designed for Mr. *Leak*. That the Prisoner being ask'd whom he meant by the King? he answer'd, the same Person whom you call the Pretender, and also whom he meant by the Usurper? he reply'd, the same Person whom you call King *GEORGE*; and that the Prisoner all the while was as much compos'd in his Mind as ever he had seen any Person in his Life. And that after Sir *John* had examined the Prisoner and sent him to the *Compter*, Sir *John* desired him to go to his Master, and see what Books or Papers he had; which he did, and the Prisoner's Master said, that his other Servant was not within, and he did not know which belong'd to the one, and what belong'd to the other; and thereupon order was given to his Master that nothing of the Prisoner's should be removed till farther Orders.

*Henry Langley* likewise confirmed what Sir *John Fryer* and Mr. *John Nichols* had depos'd; adding, that upon this Expression in the Writings, *But we will suppose the Worst, that I am by Torture examined*; being ask'd whether he had so well weigh'd the Matter as to undergo such Torture for the sake of the Pretender? He reply'd, he had well weigh'd the Matter, and could undergo it. And that he afterwards was present with the Prisoner at the Secretary's Office,

Office, where he was examined by Mr. *De la Fay*, where he answered to whatsoever was asked him with a great deal of Unconcernedness and Resolution. That Mr. *De la Fay* bid him read over the Copy of the Letter he had written before Sir *John Fryer*, and bid him consider it well, if it were right, that no false Construction might be put upon any of his Words; that he did read it to himself, and afterwards aloud, and did own it was his Writing, and it was a true Copy, as near as could be, of what he had written in the Letter deliver'd to Mr. *Leak's* Servant.

Mr. *Wase*, Mr. *Nightingale* and Mr. *Randal* depos'd, That they being sent to the Prisoner's Master's House were shown the Prisoner's Trunk, where among some Papers was found one which was produc'd in Court and read, and did appear to have been a Draught of the Letter that the Prisoner had deliver'd to Mr. *Leak's* Maid, and differ'd very little in Words from the Copy that he had written before Sir *John Fryer*, saving that at the latter End there were these Expressions: *How meritorious an Act will it be to free these Nations from an Usurpation that they have lain under this Nine and Twenty Years?* And that he thought it might be requisite that while his Majesty (meaning the Pretender) should be absent from *Avignon*, some Person should be found resembling

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*resembling him that should personate him there, lest the Rumour of his Departure from Avignon should awaken this inquisitive and suspicious Court.*

Mr. *De la Fay* depos'd, That when the Prisoner was brought to the Lord *Sunderland's* Office, he did there acknowledge that the Copy written before Sir *John Fryer*, and also the Paper found in his Trunk, and upon his Tryal produc'd and read in Court, were his own Hand writing; and that being bid to read them and consider them well, that before he owned them he might be sure there was nothing in them but he would own, the Prisoner did so, and owned every thing in them; and that during the whole Time he was there he perceiv'd no Uncomposedness in his Countenance, seemed under no Disturbance of Mind, answered to every thing pertinently that was ask'd of him. All which was confirm'd by Mr. *Burroughs*, Mr. *Woodward*, and Mr. *De la Fay* said likewise that (being examined) he acknowledged to this Effect. That he was the Son of *Thomas* and *Mary Sheppard*, of the Parish of *St. Mary Overy's* in *Southwark*, by Trade a Glover; that his Father dying when he was about Five Years of Age, he was remov'd down to *Abbot Langly* in *Hertfordshire*, went to School to one Mr. *How*, was afterward remov'd thence and put to School by Dr.

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*Hinchman* his Uncle by the Mother's side, at *Mitcham* in *Saltry* and afterwards sent down to *Salisbury*, went to School to Mr. *Hales* there, continuing about three Years, and was afterwards put Apprentice to Mr. *Scott* by his Uncle Dr. *Hinchman*; That while he was at *Salisbury* he had imbibed the Principles he then acted upon by Conversation with his Fellow-Scholars, who in the Time of the Rebellion in the North, wished that the Pretender might have Success; and that he was confirm'd in his Opinion by reading some Pamphlets he saw lying on some Booksellers Stalls there, and particularly by one intituled, *A Vindication of the Bishop of Exeter*; and especially from the Improvement of the Words of St. Paul, *That Persons ought to be obedient to the Powers that were set over them, although they were Tyrannical*. He owned that he did carry a Letter and deliver it to Mr. *Leak's* Maid, of which the Copy he wrote before Sir *John Fryer* and produced in Court was a true Copy as near, as could be; and that the Papers found in his Trunk was his own Hand-writing. That he never had any Acquaintance with Mr. *Leak*, nor Knowledge of him any other Way than that he was a Nonjuror; that tho' he had subscribed it for the Reverend Mr. *Heath*, it was only by mistaking his Name, and that he did intend it for him. That he

had three Years ago resolved upon the Design to Assassinate the King, and did determine to put it in Execution when Opportunity offer'd. This he own'd and signed with his own Hand, it having been read distinctly to him, and read over by himself, confessing it was all true, except the Word King (meaning King *George*) to which he object'd, saying, he had never own'd nor call'd him King in his Life. This Examination was produc'd and read in Court, sign'd by the Prisoner, and attested by several Persons. There was also another Examination taken at the Lord *Sunderland's* Office by Mr. *De la Fay* at another time; wherein the Prisoner confessed as before, and insisted upon justifying the Design: Which he also sign'd with his own Hand, and was produc'd and read in Court, and attested by several Witnesses.

These Depositions having been given by the Evidence for the King, the Prisoner was called upon by the Court to make his Defence; upon which he answer'd, that he acknowledged the Truth of what had been depos'd against him; saying, that he meant it, that he intended it, and did not think there was any Harm in it, or any Guilt in the Fact, if committed.

The Prisoner declining to make any farther Defence, was call'd upon by the Court to know if he would call any Evidences.

To

To which he answer'd, *No.* The Judge then proceeded to give the Charge to the Jury, observing to them the Heinousness of the Crime of Murther, and especially by Assassinating ; a Crime rarely known in *England*, tho' indeed common in that Country from whence such Persons would fetch the Person they call their King ; a Crime heinous in its own Nature, but aggravated to the highest Degree, being against the Life of so Excellent a Prince as King *GEORGE*, under whom we enjoy our Religion, Liberties, &c. When the Court were beginning to sum up the Evidence, one of the Jurymen stood up and begged the Favour of the Court that it might be explain'd and made out to him, by which of his Actions, and how many there were, that made him Guilty of an *Overt Act* ; and was answer'd, that an *Overt Act* of Treason meant, when there was something more done than Words barely spoken : And tho' Words spoken would not amount to High Treason ; yet those Words committed to Writing by the Person with a Traiterous Intent, was an *Overt Act*, and were High Treason. And that this was the Opinion of Persons Learn'd in the Law, as Judge *Hales*, *Coke*, &c. And that the Prisoner had, by as full and methodical Evidence as could be given, been

proved guilty of High Treason; that his writing those Letters were *Overt Acts*; that his carrying the Letter to Mr. Leak was an *Overt Act*, and especially, 1<sup>st</sup>, In that the Import and Design of that Letter was to excite and stir up Persons to bring in the Pretender. 2<sup>dly</sup>, That he himself did undertake to kill the King. 3<sup>dly</sup>, That he did endeavour the procuring of Forces to be ready at the giving of the fatal Blow; which were evident Proofs of High Treason. With which Answer the Gentlemen of the Jury being satisfied, the Court having summ'd up the Evidence, the Jury went out, and after a very short stay, found the Prisoner Guilty of High Treason. And he being ask'd as is usual before the receiving of Sentence what he had to say why Judgment should not pass upon him according to Law; reply'd, *He could not hope for Mercy from a Prince he would not own.*



*Then the Recorder proceeded to give Sentence to the Effect following.*

**J** *Ames Sheppard*, you are Convicted according to Law of the Greatest of Offences against Human Authority, High Treason.



‘ Treason, in Compassing and Imagining  
‘ the Death of the King. Your Intent  
‘ was to Kill, to Murder, and basely Af-  
‘ sassinate his Majesty King G E O R G E,  
‘ in order to place a Popish Pretender on  
‘ his Throne. It is very surprising that  
‘ one so young in Years should attempt so  
‘ wicked an Enterprize: and it is more  
‘ amazing that you should still thus defend  
‘ and justify it, and not only think there is  
‘ no Harm in it, but that the Action if  
‘ committ’d would have been meritorious.

‘ It was reasonable to think that you  
‘ had received those Impressions which  
‘ incited you to this Undertaking from  
‘ some of those false and malicious Libels  
‘ which have been industriously dispers’d  
‘ to delude unwary Readers, and to alie-  
‘ nate the Minds of his Majesty’s Subjects;  
‘ and it appears to be so from your own  
‘ Confession, that you had imbibed your  
‘ Principles from Sermons and Pamphlets,  
‘ which make you think King G E O R G E  
‘ an Usurper, and the Pretender your  
‘ lawful King.

‘ Consider, Unhappy Young Man, whe-  
‘ ther you may not be in an Error; and  
‘ what I now suggest to you is not to re-  
‘ proach you, or to aggravate your Crime,  
‘ but proceeds from Compassion, and with  
‘ a regard to your further Consideration  
‘ before you go out of the World; that

‘ you may be convinced of your Error  
‘ and retract it.

‘ The Notions you entertain are contra-  
‘ ry to the Sense of the Nation; who  
‘ found by Experience that their Religion,  
‘ their Laws and Liberties were in immi-  
‘ nent Danger from a Popish Prince, and  
‘ therefore they rescued themselves from  
‘ that Danger, and excluded Papists for  
‘ the future from the Crown; and settled  
‘ it on his Majesty and his Heirs, being  
‘ Protestants; which has been confirm’d  
‘ by many Parliaments, and the Nation  
‘ feels the good Effects of so happy an  
‘ Establishment.

‘ It seems strange, that you should hint  
‘ at a Passage in *St. Paul* for your Justifica-  
‘ tion. If he exhorted the Christians to  
‘ submit to the *Roman* Emperors, even  
‘ tho’ they should be Tyrants, how comes  
‘ it that you a private Youth, should not  
‘ only judge of the Title of Kings in op-  
‘ position to the Sense of so many Parlia-  
‘ ments; but that you should think your  
‘ self authoris’d to Murther a Prince in  
‘ peaceable Possession of the Throne, and  
‘ by whom his Subjects are protected in  
‘ the Enjoyment of all their Rights and  
‘ Privileges, and of every thing that is  
‘ dear and valuable to Mankind?

‘ You mention in your Papers as if you  
‘ must expect the most Cruel Tortures.

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‘ No, unfortunate Youth, the King you  
‘ won’t own, uses no cruel Tortures to his  
‘ Subjects. He is King according to the  
‘ Laws of the Land, and by them he go-  
‘ verns. And as you have transgressed  
‘ those Laws in the highest Degree, the  
‘ Publick Justice requires that you should  
‘ submit to the Sentence ordained for such  
‘ an Offender, which is,

*That you be led from hence to the Place  
from whence you came, from thence you are to  
be drawn upon a Hurdle to the Place of Execu-  
tion, and there you are to be hang’d by the  
Neck, and being alive to be cut down, your  
Bowels to be taken out of your Belly, and there  
burnt, you being alive: Your Head is to be cut  
off, and your Body to be divided into four  
Quarters, and your Head and Quarters to be  
disposed of as his Majesty shall think fit. And  
God Almighty have Mercy on your Soul.*

After his Condemnation, Mr. Lorrain,  
the Ordinary gives an Account of him, in  
substance as follows; That in discoursing  
with him concerning the Crime he stood  
Condemn’d for, he told him, That by the  
reading of certain Sermons and other Books  
he had learn’d, that He, whom we call  
*our King* had no right to the Crown of Eng-  
land, and so he was fully perswaded, that  
the Killing of him would be a good and  
commendable thing; and from that time,  
which was about Three Years before, he

had a mighty impulse upon his Heart, that he must be the Person who should do the Deed; namely, Assassinate King George in his own Palace; and by this Means make way for the Right Heir: And, he said, *he verily believed it was a Motion that came from God to his Soul.* And Mr. Lorrain adds, That he endeavouring to convince him of his Error, and telling him as it had been of so long standing, he had time to have pray'd to God for Grace, that he might have such wicked cogitations removed from his Heart. He reply'd; *That he did Pray; And, that by how much he pray'd, by so much the more he was encourag'd and confirm'd in the lawfulness of his Design.* Mr. Lorrain goes on, That discoursing with him at the Hatch-door, that leads to the Dungeon, or condemn'd Hold, in the the Lodge, being very noisy and incommodious, by reason of Peoples crowding to hear what he said to James Sheppard, and he desir'd him, to let him have an Opportunity to speak with him in private; but he would not consent to it, saying, *He durst not trust himself with him.* To which Mr. Lorrain reply'd; why, am I such a Monster, or a Man so dreadful? No, reply'd he, *but I am afraid of your Arguments: I am not Scholar good enough to answer you.* To which he made reply, and also endeavouring to perswade him to consider, whether it was not a strong Argument, (that



(that as he had intimated, God had given him a Commission to do the intended Fact) that he was under a Delusion, for that if God had commanded him to go about such Thing, he would not have met with such a Disappointment in his Purpose. To which he answer'd ; *That his being thus disappointed did not proceed from the illegality of the Fact, but from some Sins (he would not tell what) he had otherwise committed.* That then he ask'd him these Questions? *Did you never reflect upon the heinousness of that Fact you would have committed? Had you no dread, no horror, upon you? Did you feel no remorse, no throws of Conscience at the thoughts of it at any time?* To which he reply'd, *No; But on the contrary I was very well pleased all along, and very easy in my Mind.* That then he advis'd him to examine himself, whether it did not proceed from Pride, and he did not mightily please himself with the thoughts that he should be admir'd and extolled by some for his Courage, in having done that which no others durst attempt? To which he answer'd. *That it was not so; but only the sense of his duty to his King prompted him to it; and, that tho' himself had not, yet he knew another who would have done it if he had liv'd; but he died a few days since, which he express'd a great sorrow for; but who that Person was, he said, he would never tell.* And going on to argue with him

against such a Resolution and Principles as he had taken up, He answer'd him; *I am satisfy'd, I am in the right*; adding, *That he had not alter'd his Mind in the Matter, nor ever would alter it; and That if it were in his Power, he would still kill him whom we own for our King, or any Friends of his.* That then he put this Question to him, *Would you have kill'd the late Queen?* To which he reply'd, *I had not these Thoughts when she was alive: But if she were so now, I would kill her.* Which Expression he repeated two or three times. But when he saw People about him were strangely surpriz'd, he said, *Perhaps I would not have done it, because She was a Woman, who govern'd not her self, but others did it for her.* The Ordinary adds, *That one Morning hearing he was in a Private Room, and a Clergyman with him, he desir'd to go and see him, which he did; and seeing two Men with him, one in the Habit of a Divine, he asked him how he found this poor unhappy young Man, and whether he repented; To which the Clergyman answer'd, He found him in a very good State. Then turning to James Sheppard, and telling him he must give Glory to God, and acknowledge his Faults, and that especially for which he was under Condemnation. The Clergyman cry'd out, Hold there, I am his Father Confessor, and he and I are of the same Communion, and you are*

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*not.* To which he reply'd, Are you of that Communion, that holds it lawful for Men to Murther Princes for equity in a most execrable and treasonable Manner. To which he made no direct Reply, but went on, telling him, *I am in Communion with him, and what is fit to be said to him, he shall receive from me, and none but me, who am his proper Confessor; and shall give you no Account of himself, nor no answer to any Question you shall ask him.* But he did ask him, Whether he thought it lawful to Murther the King; and other Questions, but he made him no answer at all. Then turning to the Clergyman, Put these Questions; Do you think him in a good state to entertain such a wicked, traiterous Imagination as that of killing King George? to which he only reply'd, *I have nothing to say to you.* He then ask'd him, again, Do you not think in your Conscience that he ought to repent of it, Confess it, and beg Pardon for it, He answer'd, *No*; and with that went away as fast as he could, and the Prisoner after him. He adds, That the next Day he went to visit him again, where he found his Father Confessor and his Assistant with him: That he told him he was come to speak to James Sheppard, and ask'd him whether he had impartially consider'd the heinous Fact he would have committed? Whether he now abhor'd it, and repented.

pented of it? But the said Confessor told him he would not give any Answer to the Questions he put to him. Nor did he give him any; thereupon he desired his Confessor to ask him, but he reply'd, He would not do it; and what he had to say to him, he would not say in his Presence, and that the Prisoner was not oblig'd to satisfy him in those things he demanded of him, because he was not his proper Priest, he is not of your Communion, You have nothing to do with him, nor he with you; and I will ask him no Questions, nor give him any Admonition while you are here. He then desir'd them to withdraw, which they did a little, out of the Door, the Door being open; He then put the Question to *James Sheppard*, Whether he persisted in his former Opinion, *That it was lawful for him*, and he had a Commission from God to Assassinate the King: But he made him no Answer, Then he ask'd him if he should pray with him? but he told him, *He should not*. Then he ask'd him if he desir'd his private or publick Prayers, and the Prayers of the Church? He answer'd, *He desir'd their prayers only who were of his own Communion*. That then he was a going out of the Door, and his Confessor who was ready at the Door came in very hastily, and treated him very rudely and impudently.

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He adds, That on the *Saturday* before Execution, he went to visit him, he having a Room near the Chappel, and ask'd him to come the next Day to Chappel; but he would not, but told him, *He was still of the same Mind as he had declar'd before, and ever would continue.* The morning before his Execution he visited him again, would have repeated his Instructions, but he would give no heed to him, but turn'd his Back upon him, and did the same at the Place of Execution; and when his Confessor, who assist'd him, and gave him Absolution was gone off the Cart, he would not permit him to pray with him at all, after he had time allotted him at the Place of Execution; he was turn'd off, delivering a Paper to the Sheriff, which contained several treasonable Expressions, which the Government would not gratify the Author with a Publication and therefore suppress the Printing of it.



*The T R Y A L, &c. of*  
**Ferdinando Paleotti, Esq; alias**  
**Ferdinando Marques de Pa-**  
**leotti.**

**H**E was indicted at the *Old Baily* for the Murther of *John Niccolo* alias *John the Italian*, the 11th Day of *February* 1718. He was indicted likewise for Man-slaughter upon the Coroner's Inquest; and also on the Statute of Stabbing. After the Council for the King had open'd the Cause, the Evidences gave the Accounts following:

*John Johnson* depos'd, That he having been out was come home, and knocking at his Master's (Esq; *Bellasis*) Door in *Lister-street*, between nine and ten a-Clock at Night; he saw the Marques and the Deceased pass by, and heard *Niccolo* say, *Tous les Jours*; and having passed him, he perceived the Prisoner pursue the Deceased with something in his Hand held up, and heard *Niccolo* in a violent manner cry out, *Garde, Garde, Garde*, near ten times, and then took hold of a Post; and the Marques walked with something under his Arm, but whether Stick or Sword he could not say positively, but did believe it to be a Sword; and the Marques being gone past him, *Niccolo* never spoke more, but fell

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fell to the Ground; and then the Marquess took to his heels and made up *Gerard-street*; upon which he and *Thomas Corbridge*, who came upon the Out-cry, examin'd the Street and were positive that there was no Person in the Street at that time but the Marquess and *Niccolo*, and himself knocking at his Master's Door; and that there being some Lights reflecting, and himself being in the Dark, he had so perfect a view of the Marquess's Face, that he was sure he was the very same Person, and swore positively to it. He added likewise, that as well as he could then distinguish, he had on a Red Coat.

The Marquess pretending he could not speak or understand *English*, had an Interpreter allow'd him, who being sworn told him in *French* what the Evidence said in *English*; and the Court bid him ask the Marquess if he would ask the Witness any Questions; whereupon he ask'd him what colour'd Clothes he had on, who said to the best of his Judgment Scarlet. To which he reply'd very angrily, That whatsoever he had depos'd was all Lies; for he had no Red Coat on that Day, and that he would anon disprove all he had said.

The next Evidence was *Thomas Corbridge*, who depos'd, That as he was knocking at a Door in *Leicester-street* he heard an Out-cry,

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cry, which he took to be Murther; and running to *Lisle-street* he saw a Person of the same Stature with the Marquess pass by him, but he could not swear to his Face, but by his Stature and make of his Body (which was pretty remarkable, he being a tall Man) he did verily believe it was the Marquess; that seeing the Man dead, they look'd and saw no body in the Street at that time but the Marquess, the Deceased and themselves.

*Margaret Clay* depos'd, That she being at a Window that look'd into *Lisle-street*, saw a Gentleman and his Servant pass along, and immediately heard the Footman cry out violently, and immediately the Footman fell down Dead near the Lady *Bellasis's* Door.

*John Rucks* depos'd, That as he was at his Master's (Esq; *Elwys*) House in *Lisle-street*, he heard an Out-cry in the Street, and running up Stairs heard a Man groan at Esq; *Bellasis's* Door, and saw a tall Man pass by him, and another Person in the Street; and that by Shape and Stature he did verily believe it was the Marquess; and that when he passed by, *Niccolo* was fallen on the Ground.

*Benjamin Forster* depos'd, That he hearing the Out-cry as he was at home in *Lisle-street*, ran out, and that then there was no body to be seen in the Street, but a Gentleman

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tleman that came down the Street keeping the Coach-way, who had either a Sword or Stick under his Left Arm, and his Right Hand upon it; and was in Red Clothes, and that as he passed along hastily he turned back several times, looking behind him as it were, to see if any Body followed him, and turned up *Gerard-street*; that by his Stature and Shape he verily believed the Marquess to be the Person; that then stepping to the Deceased, he and another found him dead, and opened him to find his Wounds; and examining his Pockets, they found some Papers by which they discover'd he belonged to the Marquess *de Paleotti*.

*William Spicer* depos'd, that he living at *St. James's* kept a Sutler's House, and that the Marquess had for some time been his Lodger, and that he was always wont to come Home pretty late, and have a Supper and much Attendance, and his Room illuminated and a Fire in it; but that Night he did not see him come in; but was told by the Maid, who went up Stairs between ten and eleven a-Clock, that the Marquess was in Bed, though none in the House knew he was at Home.

*Elizabeth Newman* confirm'd what her Master had said; adding, that she going through the Marquess's Room to put her Master's Grandchild to Bed, she not thinking

ing the Marques to be there, he put back the Curtains and ask'd for his Man *Niccolo*; to which she answer'd he was not come home; and that he reply'd that he was come home; for he had put him to Bed; and told her several times that he was asleep in some Chair in the Room. She added, that neither she, nor any of the Family, knew the Marques was come in; and that he got into Bed without the Bed being made, without any Candle, or any Fire that could give any Light.

Mr. *Spicer* added, That the next Morning the Marques got out of Bed, and knocking he went up, and when he came the Marques ask'd him for his Man *Niccolo*; to which he reply'd, he did not come in that Night. And that just about that time one Mr. *Behn* came and told the Marques that *Niccolo* was found Murthered; upon which in a sort of hurry of Mind, he went to dress him, and called for his Grey Clothes, which he ferched him; then he dressed himself and went out: and as it appeared, went to the Bishop of *Salisbury's* (very probably think to find Sanctuary in the Bishop's House, as in a Church or Cloyster in Popish Countries) where it is report'd he behaved himself so rudely, making a sort of a Riot, that his Sword was taken from him, and sent to Justice *Gore's*; which

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Sword was produced in Court by *John Martin* the Constable, who had received it of Justice *Gore*.

*John Wilkinfon* depos'd, That he had lived four Months with the Marquess as his Interpreter; that the Marquess that Day went out in the Forenoon with *Niccolo* and that he had on Scarlet Clothes turn'd up with Blue, and that Sword which was produced in Court; and said that he had not had while he was with him any other Sword but that.

Mr *Duhammel* depos'd, That after the apprehending of the Marquess *de Paleotti*, he discoursing with him in the Guard-Chamber, he told him that on the 11th Day of *February* his Servant *John Niccolo* was with him on the other side of the Water, and that they returning in the Afternoon he went to see a Lady and sup'd with her, and his Man *Niccolo* waited on them at Supper, and that he went to wait on the Lady home, and she would go through a Dark Alley, and he would not go with her: that *Niccolo* went with him almost home, and that then he lost him; and that he went into his Lodging and went to Bed by 10 of the Clock. Mr. *Duhammel* said, upon this he told the Marquess, that the Account he had given the Landlord, &c. Which differ'd from what he then said, would be made use of in Court

Court against him, upon which the Mar-ques chafed, and in a Haughty Air reply'd, What, did he suffer himself to be interrogated by such a one as he? and fell to kicking of him.

*John Stephens*, the Surgeon, depos'd, That being sent to view the Deceas'd, he found the Wound was 7 Inches deep and a quarter of an Inch broad; that it penetrated into the Left Lobe of his Lungs and into the Heart, and he was satisfied it was the Cause of his Death, and that the Wound was not given with a hollow Blade, but with such a Sword as was produced in Court, and sworn to be the Prisoner's.

The Marques when he came to make his Defence, having an Interpreter allow'd him (who was sworn for that purpose) pleaded total Innocence as to the Murther of *John Niccolo*, saying, he had no Ill-will against him, nor had any Cause; and if he had, he had another way of punishing him, which was by Martial Law, he being his Servant and a Soldier of his own Troop. He then owned they did go out together in the Morning; that they went to the other side of the Water, and coming back in the Evening, went to a Tavern near *Lincolns Inn Fields* and supped, about 8 of the Clock; that they went away together, and *Niccolo* went along with him as far as home, and asked him at the Door

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to let him step somewhere and he would return presently, so he went to Bed without *Niccolo's* putting him to Bed, and never saw him since. Being ask'd by the Court, why he told the Maid that *Niccolo* put him to Bed! He denied he ever said so. Being ask'd by the Court how he came to go so suddenly to Bed without Attendance, Light, Fire, or his Bed made? He answer'd there was a Fire that gave him Light, and that the Bed was made. Tho' the Maid being examined again as to that Matter, she swore the Bed was not made, nor was there any Fire that gave any manner of Light. But at last he grew unsatisfied with his Interpreter, affronting him, so that the Interpreter frequently desired the Court to excuse him from the Office, saying, that he did not like him because he did not make an Appearance great enough for him. But the Court being very well satisfied with his Capacity for the Office, thought it needless to do so, till at last by the unhandsome Carriage of the Prisoner, and the frequent Request of the Gentleman who they had appointed to be his Interpreter, they did condescend to gratify them both, and prevailed with a Justice of the Peace to humour the Marquis so far as to be his Interpreter, with whom he seemed to be a little better pleased, and made the Defence following. That  
had

had he not been innocent of the Murther of *Niccolo*, he would not have staid to be taken, for that his Sister the Dutches of *Shrewsbury* sent him 50 Guineas and some Jewels to have made his Escape, and added, that when he and his Man came from the other side of the Water they went to a Tavern in *Lincolns Inn Fields*, and that there he sent out for some Gentlewomen, and that he went along with them in a Coach, and being about half way his Man *Niccolo* desired him to let him go somewhere and he gave him leave, and he never saw him since. And some other Questions being put to him by the Court, he said he did not know what became of his Man; for the People of the Tavern in *Lincolns Inn Fields* well knew that his Man *Niccolo* was enquired for there, and went away, and they knew better what became of him then he did. And thus he contradicted himself three or four several times. At last he would have had his Tryal put off, saying, he had not had time enough to produce Evidences, but was answered by the Court he had sufficient Notice, having been committed Fourteen Days, and that he himself had desired the Court by *Mr. Lorrain* that his Tryal might be brought on at that time. Upon the whole his Defence being trifling and contradictory, the Jury considering the Matter

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Matter, brought him in Guilty of wilful Murder, the Coroner's Inquest, and Statute of Stabbing. And he received Sentence of Death.

After his Condemnation he behav'd himself very refractorily to several Persons that came to him, and even to a Priest of his own Perswasion, who was sent to him to prepare him for death, whom he treated very rudely. Mr. Lorrain gives this Account of him; That he expressed a great deal of Uneasiness at his close Confinement and Fetters; *an usage*, he said, he had never met with before; and upon that was very much unsatisfied and impatient. He deny'd the Murther he was condemn'd for; and would not at first hear any body talk to him of Repentance; saying, *He was a Man of Honour, who never did a base Thing, nor injured any Man.* And it was some considerable time before he could be brought to a serious Consideration of a future State, and of the necessity of making a due Preparation for it; but at last he began to be more thoughtful, and told the Ordinary; *He was oblig'd to him for his good Advice, and he would follow it.* Mr. Lorrain says, He having heard from many Persons that he had kill'd several beyond Sea; ask'd him whether it was so or no. To which he reply'd, *That he never did any such thing, never was guilty of Murther.*

He

He said he was 38 Years of Age, born of a noble Family in *Italy*, brought up in the *Roman Catholick Religion*, and had been for many Years an Officer, and was at that time actually Colonel of a Regiment of Dragoons in the *Emperor's Service*. He was convey'd from *Newgate* in a Mourning Coach to *Tyburn*, between 6 and 7 a Clock in the Morning, *March, 17th 1717-18.* and Mr. *Lorrain* offered to attend him, if he desired it: But he reply'd, *He was a Roman Catholick, and there was no great need of his taking that trouble.* After he arriv'd at the Place of Execution he took up about half an Hours time, and was turn'd off; and after having hung the usual time, his Body was convey'd away in a Mourning Coach.



*The T R Y A L, &c. of*

*Francis Francia the Jew for High  
Treason.*

**T**H E Prisoner having before been brought upon his Tryal, there being a Mistake of an *I* for an *A* in the Indictment, his Trial was put off for that time; and being brought on again some time after, he challenged so many of the Pannel, that

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that there were not Jurors enough left to try him; upon which the Tryal was again deferr'd, and being twice after that put off by the King's Council, some of their Witnesses being abroad, upon the 22d of January 1716-17, they Proceeded to Tryal as follows: The Indictment set forth, That *Francis Francia* late of London, Merchant, not weighing the Duty of his Allegiance, &c. but traiterously intending to alter and subvert the Government, and depose his Majesty King George, and to bring him to death, and place the Pretender on the Throne. On the first day of September in the Second Year of the King, and at several other Days and Times, as well before as after, did traiterously, compass and Imagine the death of the said King; and that to accomplish and bring about his said traiterous Intention; he did meet, consult, and agree with divers other Traitors to the Jurors unknown; to raise a War and Rebellion in this Kingdom, against the said King, in Favour of the Pretender, and the more effectually to compleat his said traiterous Intentions, he did propose, consent, and agree with divers other Traitors, to solicit and procure Arms, Ammunition and Money of divers Foreigners and others in the Kingdom of *France*, to aid and assist int he said War; and that the said *Francis Francia* did traiterously compose

and write, and cause to be composed and written, several traiterous Letters, signifying the Intentions and Resolutions of him the said *Francia*, and the said other Traitors; requiring Aid in the said War of the said Foreigners, and other Persons in *France*, and did traiterously send the said Letters to Parts beyond the Seas, and caused them to be deliver'd to the said Persons in *France* accordingly, against the duty of his Allegiance, the King's Peace, &c.

The Indictment being read, the Council for the King opened the Cause, and Mr. Attorney General acquainted the Court as follows.

That Preparations had been making many Months, before the Rebellion broke out in *Scotland*, under the Earl of *Marr*, in Sept. 1715. and under Mr. *Forster*, in *Northumberland* the *October* following, and that the like Insurrection was designed at *Oxford*, *Bath*, &c.

That the Correspondencies between the Prisoner, and Mr. *Harvey* of *Comb*, with the Duke *de Aumont*, and Abbot *Butler* began in the Queen's Time, and appear'd to be carried on with great Secrecy and Caution, which induced a Belief that they were then Criminal. That it could not be expected they should produce the Letters the Prisoner had sent into *France*, from Mr. *Harvey*; but observ'd that the An-  
swers

swers to them which were found in the Prisoner's Custody, took notice of the Contents of them, and shew'd that he knew the Design of those Letters to be to further the Pretender's Invasion; which he insisted was a full and sufficient Evidence to prove the Treasonable Correspondence charged in the Indictment.

He also urg'd, That it could not be pretended that Mr. *Francia* only convey'd Mr. *Harvey's* Letters to his Correspondent, and so was only guilty of Misprision of Treason, in concealing the others Treason; for when he Cover'd Mr. *Harvey's* Letters, he also wrote such things in the Cover, as demonstrated he was acquainted with the Subject of the Correspondence, and assented to, and assisted in the Treason, and to prove it, call'd the following Evidences.

*Joseph Smith* depos'd, That he was one of his Majesties Messengers, and being in waiting at the Secretaries Office the 19th of Sept. 1715. he had a Warrant deliver'd him against the Prisoner, but he did not execute it that Night, it being late; but the next Day he went to the Prisoner's House, with Mr. *Wilcox*, another Messenger, and found the Prisoner in Bed, and told him they had a Warrant against him for High Treason, and bid him get up, and that afterwards he espy'd a Closet in the Room, where he found a parcel of

*French* Letters lying open, and directed to the Prisoner; and also found a Paper Book lying upon the Desk, which the Prisoner said was his Son's writing, and was his Copy-Book of his Correspondence abroad, and signified nothing; But the Deponent observ'd him to be under a more than extraordinary Concern. That having put up all the Papers they could find, they stay'd a little at the Prisoner's Request, and drank a Dish of Coffee with him, and then brought him to a House at *Westminster*, where they left him, and carry'd the Papers to the Secretaries Office, and deliver'd them to Mr. *Horatio Walpole*.

Mr. *Horatio Walpole* deposed, That the Warrant for seizing the Prisoner was dated the 19th of *Sept.* and that the Day after Mr. *Smith* and Mr. *Wilcox* delivered him a Copy-Book and a parcel of Letters, which they said they took at *Francis's* House: That the same Night Mr. *Buckley* and himself look'd them over, and the next day the Lord *Townsend* sent for the Prisoner, and examined him about them; and turning over all the Letters, ask'd the Prisoner if he knew the Hand, and if they were directed to him, and the Prisoner owned he receiv'd them, and that the Lord *Townsend* ask'd if that was his Book, and the Prisoner answer'd, it was, and some of the Letters were entered by himself, and some by his Son.

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Mr. *Buckly* deposed, That the Day the Prisoner was siezed, he read them over with Mr. *Walpole*, and that the Prisoner being examined by the Lord *Townsend*, Mr. Secretary *Stanhope*, and himself, were called in to take the Examination, in writing; which being done, he read it to him distinctly, and being ask'd if he was willing to Sign it, he said yes; and he offered him the New Testament to swear on; but he said, He could not swear on that Book, but he pull'd a Book out of his Pocket, and he swore him on that: That he then ask'd him if it was true; and he said it was; and sign'd it; and then the Lord *Townsend* sign'd it.

The Lord *Townsend* deposed, That being inform'd there was a Treasonable Correspondence carrying on, between the late Duke of *Ormond*, the Duke de *Aumont*, *Conlange*, (alias *de Aulmay* alias *Payen*) and Mr. *Harvey*, and that the Prisoner was the Channel in which the Correspondence was convey'd, and that it was Manag'd under the Pretence of a Law-Suit, and that the Pretender was soon expected here; he made a Warrant to sieze the Prisoner and his Papers and he was siezed accordingly, and his Letters Brought to Mr. *Walpole*.

That the next Day, he sent for the Prisoner to Examine him, and Mr. *Walpole* Brought the Letters and the Copy-Book,

and laid them upon the Table, and the Prisoner own'd the Letters; but said he could not help what was in them, what others wrote, could not make him guilty; and for what he had wrote, he appeal'd to the Book, (which he said was his) for his innocence: that then he did not appear obstinate. That at Night he sent for him again, and Mr. Secretary *Stanhope* was with him: that in the Mean Time he had perused more of the Letters, and observ'd several Initial Letters of People's Names, and the Prisoner explain'd them to him as they are in his Examination: that he seem'd in a Disposition to tell all he knew, and gave an Account how the Correspondence was begun and carried on and he remanded him that Night.

Here a second Examination taken on Mr. *Harvey's* Letter being shew'd to the Lord *Townsend* in Court, His Lordship depos'd, That was the very Letter, and the Prisoner explained the Figures in it to him, and Solemnly protested 'twas all he knew, which his Lordship was then inclin'd to believe; but some further Discoveries made him think otherwise afterward.

*Prisoner*, Did not you offer me Mony to sign that Examination?

Lord *Townsend* Can you say a thing of so much Infamy? When he had been examined

amined he told me the Misery he had been reduced to ; said that his Wife and Family must Starve, and he was at a Loss for a Supper. I told him he could expect no Favour, but on a free Confession. He still begg'd on, and in pure alms I put my Hand in my Pocket and gave him 3, 4 or 5 Guineas: which was what I could never refuse a Man who apply'd to me in that Manner, and begg'd so hard. He said his Brother would not look upon him because he was taken up for High Treason.

*Council for the Prisoner*, I would ask your Lordship Whether the Prisoner was not told, when he sign'd his Examination, that it was for some particular Purpose, and that it should not be binding to him.

Lord *Townsend*, He desir'd it might not be made use of against him, which I told him depended on his making a full Confession, and then I would use my Interest he might find Mercy : but upon perusal of the Letters I found he did not only Convey them, but was wrote to as a Manager. Whereupon I told him, he must know more, and he standing out that he did not, I sent him to Newgate: Afterwards his Wife acquainted Mr. *Buckley* if she could see her Husband, she could perswade him to discover all, and I gave Directions to see him, and while he was there one *Curtis* brought a Letter to me, which he found

by *Francia's* Bed-side, and was directed to his Wife; wherein he tells her, he found better Company in *Newgate* than he expected, and that there was nothing against Mr. *Harvey* that could hurt him, and that he Laugh'd at any thing the Government, could do to himself &c. Which convinced me he had not dealt ingeniously with me.

*Curtis* depos'd, That he was in Custody of the Messenger at the same Time that *Francia* was, and that he was well acquainted with his Hand, having seen him write several Times; that he found the afore-said Letter the 27th of *Novem.* By the Prisoners Bed-side, who told him it was a Letter to his Wife.

The Letter was directed to his Wife, whom he exhorts to be as easie as she can; and tells her, the company in *Newgate* was much better than he expected, that they were all Tories, and the Major Part for the Government, that is sent thither for being so, according to their Informations, that tho' the Lord *Townsend* should do nothing, the Business would be at an End in a Fortnight; that he neither knew nor had said any thing against Mr. *Harvey*, nor could they do any thing to him, unless he had other Affairs the Prisoner knew not of: Mr. *Harvey* might indeed be Suspected to be for the Pretender, and if all who were so were



were to be Punish'd above 3 Fourths of the Nation would Suffer; therefore he Laughed at any thing they could do to him.

Mr. Secretary *Scanhope* produc'd two Examinations, one sign'd by the Lord *Townsend*, the 21<sup>st</sup>. of *Sep.* the other dated the 22<sup>d</sup>. of *Sep.* sign'd by the Lord *Townsend* and himself: He also depos'd, That he was present at both the Examinations, and that the Account which had been given of the first, was very just, and that the Letter taken to be Mr. *Harvey's*, had been before the Cabinet-Council, and was there shewn to Mr. *Harvey*, who did not deny it, but shew'd the Utmost Consternation on producing it, and desir'd leave to withdraw, and speak with a particular Lord, that the Council apprehending he was inclin'd to make a discovery, permitted him to withdraw, and go to the Messengers House, where his Agonies were such, that he stabb'd himself that Night, or the next Morning.

That they Examined the Prisoner twice, and spent above 2 Hours in these Examinations, and there was not a Passage in them that he did not repeat more than once or twice, that he did not observe any Reluctancy in the Prisoner to sign.

That after the Examination the First Night, the Prisoner behav'd himself as if he was not worth a Groat, and intimated

he knew not how to get a supper; and representing his Miserable Condition, when he was going out of the Room, the Lord *Townsend* put his Hand in his Pocket, and gave him something, but how much he knew not.

Then the Examinations were produced, and were as Follows;

The Examination upon Oath of *Francis Francia*, of *London*, Merchant.

He saith That he came acquainted with the Abbot *Butler* (alias the *Vidame* of *Cambray*) about 2 Years Ago, when Duke *de Aumont* was here, That the Examinant received a Letter from *France*, from the said Abbot *Butler*, soon after the Duke *de Aumont* went over, recommending to the Examinants care a Law Suit, wherein one *Barbara Butler*, a Relation of the Abbot's, was concern'd, which occasion'd a Correspondence between the Examinant and the said Abbot, from a little before the Queen's Death, till within these Few Days; and during that time the Examinant received several Letters from the said Abbot, directed to Mr. *Edward Harvey* of *Combe*, and convey'd back several Letters from Mr. *Harvey* to the Abbot; which Letters, Mr. *Harvey* sometimes brought to the Examinant himself, and sometimes sent them.

That while the Abbot resided at *Cambray*, Mr. *Harvey* usually brought or sent

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two Letters to this Examinant, one directed to the Abbot, at *Cambray*, and the other was directed to the Duke *de Aumont*, at the *French Court*; either by Mr. *Harvey* himself or by the Examinant at his Request; Mr. *Harvey* telling the Examinant he did not send the Letters openly to *France* himself, because he would not be reflected on for having Friends in *France*; tho' he did not care a Pin if it were known, because we were at Peace with *France*.

That these Letters sent by Mr. *Harvey* to the Abbot, or Duke *de Aumont*; were put in a Cover by the Examinant, and directed to *Monsieur de Aulmay* alias *Payen* at *Paris*: that about 2 Months since this method was alter'd, and *Payen* instead of inclosing his Answers to Mr. *Harvey* in a Cover to the Examinant, wrote only to the Examinant, directing him to shew the Letters to Mr. *Harvey*, which the Examinant did accordingly.

That in these Letters, directed to the Examinant, and which were orderd to be shewn to Mr. *Harvey*, he understood the Initial Letters *M. H.* stood for Mr. *Harvey*, *D. D.* For the Duke of *Ormond*, and *M. B.* for the Lord *Bolingbrook*: and the Examinant verily believes the Subject of these Letters is, the design of the Pretender to invade his Majesty's Dominions.

Capt. 21. die *Sept.*  
1715. L. *Townsend.*

Sign'd *Francis Francia.*

The

108 *The Tryal, &c. of*

The further Examination of *Francis Francia*. He saith, That the Letter annex'd hereto, and dated the 9th of *Janua.* being Mr. *Harvey's* Hand, was sent by Mr. *Harvey* to the Examinant, in a Cover, to be forwarded to the Abbot *Butler*, in *France*; but the Examinant in opening the Cover accidentally broke the Seal of the inclosed Letter, which made him detain it, lest it should be thought he opened it out of a curiosity to read it. That he believed by the Number 22 *d.* In this Letter, is meant the Duke *de Aumont*, by Number 6 the *French King*; by Number 17. the *Tories*, by Number 8 the *Pretender*; and by Number 9 is to be understood His Majesty; but does not well know what the Number 24000, or 14 stand for.

*Jur. 22 die Sept. coram  
nobis Townsendl. James  
Stanhope.*

Sign'd *Francis Francia.*

Then was read Mr. *Harvey's* Letter, dated *Jan. 9th 1714.* wherein he tells Abbot *Butler*, he received his of the 12th *N. S.* and says he would be sure to write on his behalf, just as he mentioned: That he remembred what the Abbot had formerly observed to him, that their great ones were good at Words and fair Promises, but slow at performing, if ever. Therefore he tells him, as a Friend, he should lay out no more Mony till 22 had paid him what he promised to remit, if the *Fau—en* had not  
done



done it on Notice; he meant the 130*l.* 4*s.* so long due: that this was but about half he was out of Pocket: that for his good Will he was Sufficiently Scandalized, as a Friend to 22, and a Pentioner to 6; and desires the Abbot to remind 22 to send him a Bill for the 130*l.* 4*s.* or he should look upon it as lost: That the Abbot only gave him fair Words, which was not like a true Friend; but that he had not, nor ever would omit any thing to Serve 6, 22, or the Abbot, paid or not, and it should not trouble him, so he had the Esteem of 22.

That they were in a Hurry, choosing Parliament Men, and if the Election were left to themselves, and no Mony or Threats from Court, it would be out of sight on the side of 17. As it was, he hoped all would be well if 6 and 22 would stick to their true Friends. That he could not for his Life get 30 such Hounds as were fit for 22 to send to his Friend, the Count of To—ous; but by *March*, he hoped he should: that his good Friend, Mr. *B—ne*, whom the Abbot mentioned, had given him two of his best Bitches, &c. these things he says are out of his way, but to serve 6 or 22, *I will do any thing, tho' to the hazard of my Life and all I have.* That he had got for 22, two fine Grey-hound Bitches, and a couple of Stag-Hounds, of the Breed of the Queen's Hounds, &c. That he

he would give them to any Person 22 should send over with the Embassador, or send them to *Dover* on Notice: For Horses he dare not buy any, till 22 sent over a Person to approve of them: and then he would send one to assist in buying as many as 6 or 22 pleased to command: But this, as things stood, must be done with Caution, and he desires the Abbot to order things so as not to give Offence. He asks the Abbot why he would mention the Buying Stuffs to 22; he would fancy he had some Self-Interest: that he told 14 that 22 was his humble Servant, and 14 said he was a real Friend to 22, and that he would write to him and remind him of the Abbot: he bids him to press 22 to think of his Friends, and it would be of service to 6. That 8 and 9 lost himself every day; and for the 24000*l.* it made for 8 and 6.

The Council for the Prisoner objected, against the reading the Letters, they being not particularly set out in the Indictment; and, that the Law had very carefully guarded the Life of the Subject, that tho' the Intention was the Crime, yet it must be declar'd by some Overt-Act, which must be charg'd in the Indictment, &c.

Mr. *Solicitor General*, They can shew no Instance, where an Indictment is for carrying on a Treasonable Correspondence by Letters,

Letters, that ever they are set forth in the Indictment; and of what length must the Indictment be, if they were set forth in this case?

There are two other Overt-Acts laid in the Indictment, besides the writing Treasonable Letters, (*viz.*) The consulting to raise a Rebellion, and the soliciting Foreign Aid: and that these Letters are Evidence of a Conspiracy, I believe is not doubted; and therefore, if they might not be read as Evidence of writing Letters, they might certainly to prove a Conspiracy.

*L. C. Baron*, I think the Overt-Act here is sufficiently describ'd, which is all that is requir'd by the Act of Parliament.

*Mr. Justice Tracy*, I think the nature of the Overt-Act is sufficiently set out, when he is charg'd with writing Letters, praying Foreign Aid to assist in a Rebellion, and to set forth all those Letters in an Indictment is against Reason.

*Mr. Justice Prat*, Much has been said of the Care the Laws take to preserve the Subject's Life: we shall always take care to preserve those Laws; but we must take care not to hazard that *Precious Life*, as *Mr. Hungerford* calls it, by making it too difficult to convict any Man, if we should construe the Law as they would have us, it would be impossible to convict any Man

*Council*

*Council for the Prisoner*, the Prisoner is not to be Charg'd with every word in that Vellom Copy Book of Letters, tho' he has own'd the Book to be his; tho' the Cover and Paper be his; that does not imply that he is the Author of all those Letters.

*Council for the King*, My Lord, had this Book only been found in the Prisoners Custody, we might have been let in to read it, but when the Prisoner has own'd it to be his Copy-Book of Letters, what Objection can there be to it?

*L. C. Bar.* If none of the Letters were of his Hand writing, I think they may be read.

Several Letters were read of *M. d' Aulmay* to *Francia*, wherein mention is made of a Law-suit between *Barbara Butler* and one *Treacher* and *Johnson*, and the next is of *Francia* to *de Aulmay*; wherein he tells him, *Mr. Harvey*, had advanc'd 200*l.* for *D. D.* and the Person directed to pay him had not done it. &c. He says 'Tis strongly reported, that a Match was very forward between the Prince, who is at *Lorrain*, and one of the *Arch-Dutcheffes*: desires he would let him know what's in it, since that's Essential &c. Prisoner, They have opened all my Letters at the Post, and made this Book for me: there is not a Word of it of my writing the next is from *de Aulmay* to *Francia*, where after other Matters he answers, 'Tis true, there was some talk of it when the Peace

was



was made with the Emperour; but since that time no mention has been made of it: That, in his Opinion, would be no proper way to bring his Affairs to an Happy Issue; a Party-War would best suit with his Affairs. The next is from Francia to Mr. de Aulmay, wherein after other Matters he adds, Here is a Letter from Mr. L. D. D. which 'tis wish'd may succeed better than the Former, which have not been answer'd; tho' intirely for the Affairs: Besides which, I must needs tell you by the By, That Persons of 50 or 60 Thousand Crowns a Year, cannot with Prudence run the Hazard of loosing such Estates, unless more Encouragement be given them. You will be perfectly understood if you say this to some Person familiar with that Lord, or to himself; and I add from myself, That the Misfortunes of a Person are more owing to Neglect on your side of the Water, than to the Party that's against him. Another Letter of Francia to de Aulmay, wherein he tells him, That every thing ought now to be expected from his side of the Water.

Another Letter of Francia to de Aulmay, he tells him, That when he had any thing Particular to impart, he should do it by a Strange Hand, and Subscribe James Cretien, and provided he acquainted him he had receiv'd that Letter, without being open'd, he should be Easy.

Another directed to Francia by de Aulmay; where he tells him, He had just receiv'd

ceiv'd his. And adds, You have Reason to be angry at the Indolence (or Supineness) you expostulate about, but be persuaded 'tis only so in appearance; I even hope that by this Time you have convincing Proofs of it, and that suitable Returns are made to the good Dispositions; so that upon Gods Blessing upon our Friends good Cause, he will at last (cast his Adversary) at least no Succours, or powerful solicitations, shall be Wanting.

Another directed to *Francia*, *Were I permitted to give you a detail of all that passes concerning the Affair you know, you would be more easy, than to me, you appear to be, and charge us with less Negligence than you do. &c.*

Another directed to *Francia*, Dec. 3d *Payen* tells him, We have at last had the Misfortune to lose the Greatest of Kings; that their Measures had indeed been suspended, but not in the least broke; that Things go on better and better, &c.

In another Letter to *Francia*, we know already Part of what you Writ about, our Friends Cause; which, with Gods Blessing, will soon End to his Satisfaction; otherwise all Appearances would be very deceitful.

In another Letter to *Francia*, he tells him, We are here as well as you impatient, to attain the end proposed: but we must take  
Patience,

Patience, and be ruled by those who are at the Helm, &c.

And several other Letters were read, containing many strong Presumptive Circumstances of a Treasonable Correspondence, too long here to be inserted, which having been Read.

Then the Council for the King proceeded to tell the Jury, That in these Letters the Prisoner expresses a desire there should be Assistance for the Pretender from *France*; that all the Letters fall into that Design: Nay, he is anxious and impatient, for the Critical Minute: The Death of the *French* King is lamented as a great Loss; but he is assured things will revive, the Person succeeding in the Government, having favourable Intentions.

And these Letters, enter'd in the Prisoners Copy-Book, plainly shew the Purport of the Letters he sent over; nor did he pretend at his Examination, but they were Letters sent in Answer to his Letters, but acknowledg'd, *That the Design of them was, the Design of the Pretender to invade his Majesty's Dominions.* And thus it is apparent, that he did solicit Aid, in order for an Invasion from Abroad, and a Rebellion at Home, in favour of the Pretender, and with an Intention to depose His Majesty.

Then

Then the Council for the Prisoner, said, before we go into our Evidence, we must insist, that as the Law stands, it is impossible my Client can be guilty, in such manner as is charg'd in the Indictment, being an Alien, born at *Bordeaux* in *France*, from whence he came to *England* and was never Naturaliz'd ; therefore does not owe natural Allegiance, or can be guilty of Treason against the King, as his natural Liege Lord, as 'tis laid in this Indictment.

To prove which, they call'd several Witnesses, who did depose he was born at *Bordeaux* in *France* the 26 of *March*, 1675. N. S.

Then the Council for the Prisoner proceeded to observe, That besides the General Charge of compassing the King's Death, the Charges in the Indictment are conspiring to levy War, soliciting foreign Aid, and writing Letters to that End, and sending them.

That they had produc'd a Copy-Book of Letters, they say, he wrote to d<sup>r</sup> *Aulmay* at *Paris*, but that there was not one Letter, or even Date or Substance specified in the Indictment ; that they did agree with the King's Council, that it was something strange a Man should enter in his Book, Letters of a Treasonable Nature, and that was a Circumstance that shew'd they were not so, and that if the Letters had

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contain'd High Treason, he could only be guilty of Mis-prison of Treason, as he was privy to them, That they could be little Service to the Prisoner in that Case, having only heard those Letters, the King's Council thought fit to Read; That there were others before or after, which might Explain these, had not the Prisoner; a Man living in his own House in Peace under the King's Protection, had his Books and Papers seiz'd and turn'd upon him, to the destruction of him and his Family. This Power of seizing Papers, which may be of use to a Man in his Defence is something dark. That there was no direct Proof of his Intention to take away the Truly Precious Life of the King, that there was no consult appear'd, but between him and his Counting-House.

Mr. *Attorney*. Pray forbear inveying in this manner.

Sir *J. Jekil*, What an Harangue is here, complaining his Papers were seiz'd? Had an Information of a Treasonable Correspondence been given to the meanest Officer in the Kingdom he ought to have done as much?

Mr. *Justice Tracy*. You ought not to reflect on their seizing the Papers.

Mr. *Hungerford*, I say what is offer'd against him, is from the Papers found in his Study.

Mr.

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Mr. *Justice Prat*, If that had been all, you ought not to have interrupted, but you go on with *Investives*, to the Jury complaining his Papers are seiz'd and turn'd upon him: Where a *Treasonable Correspondence* is carried on by Letters, ought they not to be seiz'd, and made use of against him? We must not hear *Investives* against *Magistrates* of the *Highest Quality* for doing their *Duty*.

Mr. *Hungerf.* I don't impeach the *Legality* of what is done; but say the *Evidence* is from the *Papers* found in his *Custody*——these *Lerters*, you observe, are great Part of them about *Dogs* and *Horses*, and of a *Sum* of *300 l. 4 s.* and a *Suit* in *Chancery*; and for the *Book* we shall prove it was not wrote by himself.

*Sim. Francia* was call'd.

Mr. *Hungerford.* Mr. *Francia*, Do you know of any *Offers* or *Threats* us'd to the *Prisoner*.

*S. Francia.* Mr. *Buckley* offer'd if he would swear against Mr. *Harvey* of *Combe*, he should have a good *Reward*: And my Lord *Townsend* told me, at the *Office* in the *Cock-pit*, that he had given my Brother *5 Guineas*, and if he would swear against Mr. *Harvey* he would give him more.

*Lucy White* was call'd, and depos'd, That she went to see the *Prisoner* in *Newgate* the *7th* of *Sept.* *1716*, and he told her Mr.

*Buckley*

*Buckley* was to be there, and desir'd her to conceal her self in the Room, that she might hear what pass'd, and she did so: And when *Mr. Buckley* came, he spoke about *Flint*: Afterwards *Mr. Buckley* ask'd him Questions about *Mr. Harvey*, and the Prisoner said he knew nothing, but that he was innocent; and *Mr. Buckley* said he must Swear right or wrong for the Government; and if he would not, he would Swear High-Treason against the Prisoner himself, for he had taken my Lord *Townsend's* Money, and done nothing for it.

*Mr. Hungerf.* Did *Mr. Buckley* see you?

*White.* No; I conceal'd my self under the Feet of the Bed.

*Mrs. Meggison* depos'd, That she was in *Francis's* Room the 8th of Sept. last, and *Mr. Buckley* came in, and told him, he should be try'd suddenly, and there were a great many Witnesses against him, and he would swear himself, because he had cheated his Master of 5 Guineas, and would not swear against *Mr. Harvey*; and said he would bring my Lord *Townsend* into Court to Influence the Jury.

*Prisoner.* *Mr. Buckley*, Was not you with me in the *Lions Den*?

*Mr. Buckley.* The Prisoner sent *Revel*, the Turnkey to me to desire to speak with me: When I came, he desir'd *Flint* might be releas'd from his close Confinement:

And

And then about his own Affairs, he thank'd me for my Humanity in coming to talk with him, and we parted immediately. I told my Lord *Townsend* what pass'd, and *Flint* had the Benefit of it, and was releas'd from that Confinement; which was the Business I went about. It is a little dark Room indeed, but if any one had Sat at the Feet of the Bed, I believe I might have seen them.

*L. C. Bar.* Did you speak those words?

*Mr. Buckley* no; it is impossible, I appeal to my Character, and desire *Mr. Revel* may be call'd.

*Mr. Revel* depos'd, That *Francia* told him he thought he could do a piece of Service to the Government, and suppress the Publishing of the *Shift Shifted*, and desired to speak with *Mr. Buckley*, and the next Morning he went, and acquainted him with *Francia's* desire to speak with him, and the Occasion of it, and when he came, he bid me stand at the Door.

The Lord *Townsend* depos'd, *Mr. Buckley* told me about the Message he had receiv'd about the *Shift Shifted*, a Scandalous Paper that went about, and ask'd me if he should go; I said I thought it was right to go, but bid him be cautious, for I was Satisfied the Prisoner was capable of all that Villainy I find he is; when he came back, he told me, what he has now said,  
and



and I believe it was all that pass'd between them ; for I have found him faithful and honest : I thought it of some service to put an End to that Paper, and gave some ease to the Person Nam'd. But I am amaz'd at the Brothers Villany ; he came two or 3 Times to the Office with Petitions and I told him it was not in my Power to serve him, unless he would deal ingenuously, and tell all he knew ; and that was the way to recommend him to the King's Mercy. I believe the manner I treated *Harvey*, will clear me from the suspicion of such intentions against him. What I did, was in Regard to the Prisoners wretched Circumstances, and before Mr. *Stanhope* ; nor did I ever desire any thing of him but to tell the whole Truth.

*Prisoner*, you said I should be hang'd, drawn and Quarter'd, and many a Time you said damn you, you Dog, now I have got Mr. *Harvey* in my Clutches, and you will let him go from me, and if there was no particular Spleen against me, why should I be, distinguished ? For there were none put in Irons for Treasonable Practices but me.

Lord *Townsend*, The Warrant for Irons, and to prohibit him Pen, Ink and Paper, was after *Curtis* brought me that Letter ; the Contents whereof Sufficiently justifie the Caution us'd in that Warrant ; and

Treasonable Practices were no more Bailable, than Treason; nor is it a new thing to Fetter State Prisoners after such an Accusation.

Then the Council for the Prisoner call'd 3 Evidences, who depos'd, They did not believe the Copy-Book of Letters to be the Prisoners hand writing, but his Sons, or some other Persons; and his Brother *Simon Francia* depos'd, There was none of it his hand writing.

Then several Evidences were call'd to prove him well affected to the Government, but to no great Purpose.

After which *Mr. Saliciter General* made his Observations on the Evidence for the King.

He said, That this was a cause of great Concern to the King, to the Royal Family and to the whole Kingdom, and that it must be determin'd that day, either that the Prisoner was guilty of high Treason, or no Man could be convicted of holding a Traiterous Correspondence; as the Law then stood.

That the Prisoner was charg'd with compassing the King's Death, which was an Offence which was compleat in the mind; but that some open or publick Act was requisite to be prov'd to make it appear to them.

That

That there were 3 *Over-Acts* laid in the Inditement; but if any one of them was prov'd, it was enough; That the Evidence consisted of Letters wrote by the Prisoner to his Correspondents in *France*, and of Letters wrote to him by these Correspondents, signifying the Receipt of Letters wrote by the Prisoner, touching this Traiterous Design, That for Proof of Letters wrote by the Prisoner, they had produc'd his own Copy-Book; wherein they were entred by himself or his Son; which was indeed so rare a way of perpetuating the Testimony of Treason, as he thought the like Evidence was never to be expected again.

That they had produc'd the Original Letters from *de Aulmay* to him, and which he confess'd to have receiv'd; that these were an Evidence that the Prisoner sent such Letters as are mentioned in *de Aulmay's* Letters; for these were answers to them and tallied exactly as to the Dates, Circumstances and Subject.

That if the Prisoner had receiv'd but one Treasonable Letter, his concealing it, had been but Misprision of Treason, but receiving so many, in every, one of which the Writer charges him with writing High Treason; and the Prisoner preserving and concealing these Letters, was a strong Evi-

dence of his approbation and assent to that Treason.

And tho' it had been objected, he was not answerable for what others wrote; this was a Mistake; for if what was written was Treason, it was his duty to disclose it; and if he did not, but continued to receive Such Letters, it was a clear Proof of his Traterous Correspondence, and by that he made the Treason his own: And tho' it was pretended he was only the Conveyer of *Mr. Harvey's* Letters, the Contrary appeared from the Letters themselves, and show'd that the Correspondence was his own, and carry'd on by himself.

And as to the Intention of these Letters, tho' it was said they related to Dogs and Horses, it was one of *Mr. Harvey's* Letters was about Dogs and Horses; but even in that, there was a good deal of Treason Intermixt: And as to his own Letters, it was not to be expected, in a Treasonable Correspondence, that Men should speak out plain, some Cant was necessary to dress it up.

'Tis true, there was a private Cause committed to the Prisoner's Care, but there is a plain distinction between the Private and the Publick Cause in many of *de Aulmay's* Letters and if Treason was not meant in these Letters, why did not the Prisoner explain what was meant by them?

But



But was the meaning of these Letters doubtful, he himself had sufficiently explain'd them, when he confess'd the Subject Matter of them to be, the design of the Pretender to invade his Majesties Dominions.

Then the *Lord Chief Baron*, proceeded to direct the Jury and having repeated the Substance of the Evidence, tells them, That if a Man is privy to a Treasonable Design, and Assents to it, and contributes to the Carrying of it on, it is High Treason: Indeed where a Person had only a bare knowledge of it, without any other Concern in it, and conceal'd it, that was but Misprison of Treason.

He also added, That it was plain from the Letters, that the Cause of the Pretender was one, and Cause of the Law-suit another; and these Letters containing such Treasonable Matters, and being written to him, and found in his Custody, was a strong Evidence of his consenting and contriving to bring the Pretender over; and of his having written such Letters as was said to be received from him.

As to the Prisoners being an Alien born, he thought the Proof was strong, and therefore they should find that Matter specially for the Judgment of the Court, and find the other Fact: and if they believ'd he did promote the Invasion, or conceal'd

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ceal'd and assented to that Design, that was a conspiring the King's Death, and the Prisoner was Guilty of the Treason charg'd in the Indictment.

That as to the Threats or Promises made to *Francia*, by the Lord *Townsend*, or Mr. *Buckley*, they had been absolutely deny'd, and that their Credit must bear weight against *Simon Francia*, and the two Women who had Sworn it.

That it was not Material by whose Hand the Copy-Book of Letters was written, if it contain'd the Copies of his Letters, as he had acknowledged; and that if they believ'd the Letters to be wrote to him, and by him, and that they contain'd a Correspondence of a Treasonable Nature, exciting or encouraging a War against the King, or any thing which shew'd he was privy or assenting to it, then he was guilty of High-Treason: But if they did not believe they were his, or that they did not amount to such a Correspondence, then they must acquit him.

The Jury having withdrawn some Time, brought in their Verdict that the Prisoner was *not Guilty*, after which the Prisoner having been set at Liberty, retir'd into *France*, and there dwells.

*The T R Y A L, &c. of  
Joseph Still alias Cotterel, of the  
Parish of Stoke-Newington in  
the County of Middlesex.*

**H**E was indicted at the *Old Baily*, *February*, 28th 1717, for an Assault and Murder committed on the Body of *John Green*, by giving him one mortal Wound on the Left side of his Head, near his Left Eye, the 5th of *January*, about Five in the Morning, with a Hedging-Bill, of which he languish'd till the 13th of *February* and then died.

He was a Second time indicted upon the Coroner's Inquest for the same.

After the Council for the King had open'd the Cause, *James Howland*, Fellow-servant with the Deceas'd, depos'd, That they being Servants to Mr. *Nathaniel Carpenter* upon the Day and time aforesaid, he heard the Deceas'd cry out for Help, he looking out at a Window ask'd him where he was, and immediately ran to his Assistance, where he found the Deceas'd near his Master's House struggling with the Prisoner, having gotten him fast hold by the Hand and the Collar; and that *John Green* had then receiv'd a Wound, and was very bloody; and that tho' the Prisoner was a sturdy Villain, he held him till *Tho-*

*mas Meers*, a Watchman, came to their Assistance, having heard the Outcries; upon which, it being in vain to resist, he surrendred. This was in part confirmed by the Watchman, who swore that he took the Hedging-Bill of him, which was all bloody: And they likewise depos'd, They saw a Ladder reared up against Mr. *Carpenter's* Garden-Wall, and Candle and Matches, &c. lying on the Ground. The Affidavit of the Deceas'd was produc'd and read in Court, that he spying the Prisoner in his Master's Garden, who, seeing him ran to get over the Wall out of the Garden again, but he ran a nearer Way and met him just coming down the Ladder on the outside of the Garden-Wall in an adjoining Field; and that following him to seize him, the Prisoner said, *G——d d--mn him, if he offer'd to touch him, he would murder him*; and that he gave him the said Blow on his Head with the Bill. *Nicholas Field*, the Surgeon, depos'd, That he dress'd the Deceased's Wound, and putting in his Instrument, found that there was a Roughness upon the Skull, and he did fear it might be fractur'd; and calling in the Assistance of Mr. *Green*, took out some Pieces of the Skull, and found a Quantity of corrupted Matter come out; and that he did verily believe the Wound was the cause of his Death. Mr. *Carpenter* gave a  
very



very good Character of the Deceas'd, lamenting the Loss of the best Servant he ever had, or feared ever should. The Prisoner in his Defence deny'd he ever was in Mr. *Carpenter's* Garden; but being after ask'd the Reason of his being out so soon said that he had a Sister very ill, who had sent for him to come to her. He did not deny that he gave the Deceas'd the Wound; but said he did it in his own Defence. And being ask'd what Business he had with the Hedging-Bill, reply'd, that he carried it to defend himself from Rogues, tho' it seems he need not have been under much Apprehension of meeting any greater than himself, in Impiety or bigger in Person. For besides that he had the Reputation of being a long Practitioner in such Deeds of Darkness, a Record was produc'd in Court of his having been Convicted at *Hertford* Assizes, and burnt in the Hand, for robbing the Lady *Butterfield*: and several Persons came many Miles to do him and themselves Justice, in ridding themselves of so troublesome and dangerous a Neighbour. The Evidence being as plain as the Fact was barbarous, the Jury found him Guilty of both Indictments, and he received Sentence of Death.

The Account the Ordinary gives, that he said he was under, tho' seem'd to be above 40 Years of Age, was born in the Country;

but would not tell in what Town or Parish: Had been 9 Years in the Service, but would not tell whether at Land or Sea, that he had kept a House in *London* for 3 Years together, that he had some times sold Poultry, and got his Living very honestly; he would not own himself Guilty of Murther; but said he kill'd the Man in his own Defence. And when the Ordinary told him he had been an old Offender, and reported to have been of 23 Years standing, and the only surviving Person of *Whitney's* Gang, and that he remembered his being in *Newgate*, and ordered to be Whipt for a Felony, and that he was once Burnt in the Hand at *Hartford*, for Robbing a Lady in that County, to which he made no other Answer, but that he was sorry the World should have such an ill Opinion of him, he had done nothing to deserve it. He then ask'd him if he did not go by the Nick-name of *Robin Chicken*, given him on account of his robbing Higlers of Poultry, this Question so confounded and non-pluss'd him that he could not tell what to Answer. He therefore taking it for granted, reply'd he must needs be that Person who was concern'd in the Murther of Mr. *John Stone* at *Shipperton* with *Mars* alias *Crudley*, who was executed Dec. 5th 1710. to which after a Pause he reply'd, that he never went by that Name,  
nor

nor knew any thing of *Thomas Mars*, or Mr. *Stone's* Murther, so far as he could now remember. He then ask'd him whether his name was *Jos. Still* or *Jos. Cotterel*, to which he reply'd *Joseph Coteerel*. He then ask'd him how it came about he was call'd *Joseph Still*, to which he reply'd, that's right enough, my name is *Joseph Still*, and so will be as long as I live, punning upon the word *Still*, and seem'd to have but little Sense of his sinful Course of Life or approaching Death, the most he would Confess was, that Drunkenness had been the Cause of his Ruin, and that he was so devoted to, that he was scarce Sober from the time of his Condemnation, to the time of his Execution, at which he behaved himself with a great deal of obduracy, he was executed *March* the 22d 1716. on *Stamford Hill Road*, and then hung up in Chains in *Kingland Road*.



*The T R Y A L S, &c. of*  
*Francis Williams, Matthew Ches-*  
*sey alias Chelhire, of Cheswick.*

**T**HEY were indicted at the *Old Baily* *May*, 1st 1717. for assaulting *William Honour* on the King's Highway, and taking from him one Strawberry Gelding, value 6l. and

6*l.* and one Black Gelding, val. 10*l.* the property of *John Bowcher*, 4 Mails, val. 8*l.* and 50 Leather Bags, val. 5*l.* the 23d of *January*. To this Indictment *Francis Williams* pleaded Not guilty. But *Matthew Chessy* refus'd to plead, unless he had a Tankard and some other things restored him, which he said were taken away from him (which, according to the Evidence, was his share of the 35*l.* Bank-Note which his Wife and *Hollyday's* put off, as below) but when he obstinately persisted in refusing to plead, the Executioner was call'd and order'd to bring Whip-Cords to force him to plead, by tying his Thumbs together and so drawing the Noose hard by violent pulling, which is the Forerunner of the Press. But before the Executioner came again, he at last told the Court he would plead if they would promise him that he should have them afterward; to which he was answered, That he should have what was legally his: So at last he pleaded Not guilty.

*William Honour* the Post-boy depos'd, That between *Turnham-Green* and *Bransford* there follow'd him three Men; that two of them pass'd by him; and one of them laid hold of his Horse's bridle, and led the Horse, and another drove him into a Field, and there told him they wanted the *Bristol* and *Exeter* Mails, threatening him very hard if he did not tell, them which they



they were ; then they cut the straps, and opening the Mail, took out the Western and *Bristol* Packets, and then bound him and carried them off. *William Hollyday* depos'd, That the Prisoners and he met at the *Harp* in *Grays-Inn Lane*, to consult in order to rob the Mail, agreed upon it, and the pretence was to be, that they had a Commission from the Pretender, who was at *Bristol* ; that the design was to have been put in execution the *Sunday* before, but that they were disappointed of their Horses ; that on *Tuesday*-night they met a about 9 a clock, took Horse, and went towards *Branford*, staid till about 4 in the Morning, and not seeing the Post-boy thought he had been gone by, and were for returning ; but while they were watering their Horses, he came by, and they did as the Post-boy had before related, and brought the Packets to *Cheffey's* House in *Fetter-Lane*. *Hollyday's* Wife depos'd, That about 8 of the Clock on *Wednesday*-Morning, one *Smith* went with her to *Cheffey's* House ; that she went up stairs, and found the Prisoners all over dirt, like frightened Men, very busy opening Letters ; that Mr. *Smith* would not go up, upon which *Williams* said, *G——d d——n him, why would he not come up ? he has put us upon it, and now he will not be seen in it.* Upon which they thought themselves unsafe there ; and one of them  
says.

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saying he had a friend in *Shoreditch*, whom he had trusted very considerably, and believing they might be safe under his roof; the Letters were carried thither: That they found no booty in the Letters they opened on *Wednesday*; that one concern'd having business that he could not attend on *Thursday*, they were lock'd up at that House till *Friday-Morning*; that on *Friday-Morning* they met there, eat a Breakfast till the Man of the House was up; then they went up stairs, had a fire made, a large table set, and having hung up her Ridinghood against the key-hole, *Cheffey* fetch'd out the bag, laid it down upon the table, and set to opening the Letters; that they found 3 Chequer-Notes of an 100*l.* each, and 3 Bank-Notes of 20*l.* each, which they distributed equally; that there was likewise a Bank-Note of 35*l.* which being an odd sum, they sent her and *Cheffey's* wife to lay it out in Plate, which they did, buying 2 Tankards, 6 Spoons, and 3 Gold Rings, which also were divided amongst them; and that the Prisoners afterwards by night took each of them their parts of the Letters and carried them and dropt them in *Moor-fields*, &c. *Cheffey's* Wife and she going before to see all safe; and that they found likewise a Bank-Note of 25*l.* which her Husband had to receive the Money at the Bank, which he carried into

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*Cannon-street* to an Alehouse at the sign of the *Cripple*, and calling for a Porter, bid him go to the Bank to receive the Money. *Reeves* the Porter that carried the Note to the Bank, depos'd, That he plying at the corner of *Cannon-street* was called, and that *Hollyday* gave him the 25*l.* Note to go to the Bank to receive the Money, which he did, and that there the Note and he were stopped (notice having been given of it before) and that the next Morning came *Hollyday's* Wife and a Porter along with her to the sign of the *Cripple*, and enquired for the Porter that a North-Country Gentleman had sent the night before with a Bank-Note, saying, that last night he got drunk, and so could not come for it himself. *Peacock* the Porter depos'd, That he plying in *Holbourn* was called to *Hollyday*, and sent along with his Wife to the sign of the *Cripple* on this errand. *Reeves* the Porter came and told 'em, the Landlord of the House had the Money in his hands, which they demanding he fetch'd down, and was telling it out to *Peacock* and Mrs. *Hollyday*; but telling it wrong, sometimes 19 for 20, and sometimes 22 for 20, on purpose to protract the time while he sent word to the Bank, some persons came from thence and apprehended them; and the fact being charged home upon Mrs. *Hoyliday* and some promises of indemnity to her Husband,

Husband, she at last discovered where he was; so they went to the *Coach and Horses* in *Holbourn* and apprehended him, and by his direction the Prisoners. It was sworn likewise, that *Cheffey* had some of the Letters taken out of the Mail in his Pocket when he was apprehended. Several of these things were confirmed by a variety of Evidences. The Prisoners deny'd the fact, said they were innocent of it, and knew no more of it than the Child unborn. *Cheffey* deny'd he had been upon the back of a Horse or Mare for Twelve Months last past. *Williams* labour'd to Invalidate the Evidence of *Hollyday*, saying he was a great Rogue, had been in all the Goals in *England*, was a perjur'd Villain, and stood convicted of Felony, and so could not be a legal Evidence; he had been at charge to get the Copy of his Pardon produced in Court, which he pleaded in 1711, saying, he had not fulfilled the Conditions of it, and so stood still convict. But he neither proving his Conviction, nor the Nonperformance of the Conditions of his Pardon, it bore no weight with the Court, and the Jury found them both guilty of the Indictment.

The Prisoners being asked what they had to say in Arrest of Judgment, *Cheffey* insisted upon a promise of the Court that he should have the Tankard; but was answered, that he was promised no such thing

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thing, but only that she should after Tryal have what was his Right: That as he, being convict, had no legal Right to any thing, all being forfeited; much less had he any to the Tankard, which had been purchased with part of the Mony gotten by the Robbery for which he stood Convicted. *Francis Williams* owned he was concerned in the fact *after* the Robbery, but deny'd his being in it; and pleaded, that when they examined the Letters, the rest were all illiterate and could not read, and would have burnt all the Letters and Writings that they did not make use of, and that a great Fire was made, to whose Flames they were all to be committed, that they might not rise up in Judgment against them; but he, being sensible of the Consequences, and shock'd at the Barbarity of their Design, opposed it, saying, That Children unborn, and Generations to come, would be bound to Curse them for so Villainous an Action, by which their Titles to Estates and Debts, &c. should be destroy'd, asserting there were Packets of Bonds, Obligations and Deeds; and as he had been the Person that prevented so great a Calamity, that would have affected all the Western Parts of *England*, even as far as the Land's End, he hoped the Recorder would Represent him as an Object of his Majesty's Mercy. But he was answered,

answered, That tho' Writings should be by such Accidents destroyed, Persons did not therefore lose their Estates; nor was it credible that Deeds of Estates, or such like Things, were, or could be sent inclos'd in Letters by the Post: However, he would endeavour to represent to the King the Case as it really was.

*Francis Williams* gave the Ordinary the Account following, That he was 28 Years of Age, born at *Ross* in *Herefordshire*, by Trade a Malster, and had for a little while been Servant to a Gentleman, and had been sometimes reduc'd to great straits, and more than once in Prison for Debt, but yet never was concern'd in any Criminal Fact before this, upon which the Ordinary telling him he took him to have been an Offender some Years ago, and Try'd for, and Convicted of some Felonies; he then did not deny but that he had indeed sometimes held up his Hand at the Bar, but was for the most part acquitted of the Facts laid to his Charge, being innocent of them, but as to those he was found guilty of, they were of no great Consideration.

He said that till he came to be 20 Years of Age, he led a very sober and religious Life, was afraid to swear an Oath or tell a Lye, thinking if he did, the Earth would open her Mouth and swallow him up, but unhappily

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unhappily falling into wicked Company, they debauch'd him and brought him to evil Courses and Poverty, which a sober Conversation, and a due Care of his Affairs, would in all probability have prevented, he being before that Master of 1500 l. and therefore desir'd all Men to take Warning that they might not involve themselves in Sin and Misery as he had done.

*Mathew Cheshire*, alias *Chessey*, Said he was 32 Years of Age, born at *Barkhamsted* in *Hertfordshire*, but had spent most part of his Life at *Enfield* in *Middlesex*, he had been several Years a Waggoner between *London* and *Ware*, and that about 4 Years since, having left his lawful Employment, and grown loose and in Debt, that he durst not show his Head where he was known for fear of being Arrested, he thinking *London* the best Place for his refuge and shelter, made it his constant Abode, and there got Acquaintance with a certain Highwayman who soon enticed him to go a Robbing, that with him, and sometimes by himself, he committed several, but small Robberies, which, as far as he could remember, were in all about 9 or 10.

He own'd the Things fresh in Memory, That about 14 Months ago he was Indicted and Condemn'd for several Facts for Robbing *Mr. John Oakly* on the Highway, and taking

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taking from him a Bay Mare value 8 l. and for another Robbery on the Highway near *Hendon* in *Middlesex*, and Robbing *Edward Moore* of a Gelding value 5 l. and a Gold Ring, the Goods of *Sir John Austin*, and also for Robbing *Richard Apton* on the Highway of 8 Guineas and 8 s. to all which Indictments he pleaded guilty, and accordingly received Sentence of Death, *Feb.* 24th 1715-16. but obtain'd a Reprieve for a Month, and after that another, *Sine die*, and at last a Pardon, which he pleaded at the *Old Baily* the 20th of *Decem.* before which, instead of improving, he presumptuously returned to his former ill Courses, and was Executed *May* 20th 1717.



*The T R Y A L, &c. of*  
**Charles Powel of St. Botolph**  
*Bishopsgate.*

**H**E was indicted at the *Old Bailey* *September* 12th 1713, for feloniously stealing 108 Guineas, 2 double Doubloons, 1 Moidore, and other Gold, to the Sum of 124 l. 10 s. from *Jos. Dickenson*, the 22d of *August* last. The Prosecutor deposed, That he lodged that Night, as he usually did, when in Town, at the *Dolphin* Inn

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Inn near *Bishopsgate*, and that going to Bed, he put his Breeches under his Pillow, with the Money in his Pocket in a Silk Purse, that the Chamberlain coming to him in the Morning, between 2 and 3 a Clock, told him his Door had been opened, and asked him if he had lost nothing? whereupon he felt for his Purse, and perceiv'd it was gone, jump'd out of Bed, and ran down Stairs, found the Prisoner booted and ready to go away, and charged him with his Money; and that after some time found the Purse with the Money hid in a Parcel of Stones in the Yard, but wanting 12 Guineas, which was found in the Prisoner's Watch Pocket. The Hostler deposed, That the Prisoner came into the Yard, about 2 of the Clock in the Morning, and called for his Horse, and wanted his Boots. But he told him the Chamberlain had lock'd them up, and he must call him up to help him to them; to which he seem'd unwilling, telling him he would not have him disturb'd; but if he could get them without him, he would give him something for himself, and also leave something for the Chamberlain; he told him he could not, and so called up the Chamberlain, who gave them him, and he was putting them on, and that in the mean time the Chamberlain went up Stairs, and he heard him talk with the Prosecutor, and

and what he said, and he believed the Prisoner did hear him too. And that while the Prisoner was putting on his Boots, he started up on a sudden and said he must go into the Yard; that he wonder'd at this sudden Motion, look'd after him, and saw him go to the Stones, and put his Hand in his Pocket, heard the Stones rattle, and that he came in again immediately, and staid not to make Water or do any thing else; that when he was come in again, the Prosecutor and Chamberlain came down immediately, and taxed him with the Money, which was found as had been related. The Chamberlain deposed, The Prisoner came in about 7 of the Clock that Night to Lodge, said he should stay 2 Nights, and was going to *Canterbury*. That when the Prosecutor went to Bed he attended him, lock'd his Chamber Door, and put the Key under it, and that being call'd up in the Morning, he admir'd that the Prisoner was going away so early and in such a Hurry, therefore having given him his Boots, went up to see if all was safe in his Chamber, and going by the Prosecutor's Door, saw it had been forc'd open, and waking him asked him if he had lost nothing, The Landlord and several other Evidences confirmed the Circumstances as to the finding of the Purse of Money among the Stones, and

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and the 12 Guineas in his Pocket, and that the Prosecutor as soon as he saw the Purse, said the Strings had been opened, and that there was in the Purse when he had it in his Pocket, 124l. 10s. That they counted it, and found it wanted just 12 Guineas and that the 12 Guineas, which made up the Sum, neither more nor less, were found in his Watch-pocket, and that he had about 15s. In Silver in his other Pocket.

Another Evidence depos'd, That the Prisoner hired a Horse of him fort wo Days to go to *Rocheſter*, and had kept him 7 Weeks, and he had never ſeen him all that time, till hearing of him on account of this Fact, he came to the *Dolphin Inn* and there found his Horse. The Prisoner in his Defence called an Evidence, one *Alexander Darwent* alias *Macdonald*, who depos'd, That he meeting with the Prisoner about 5 a Clock the Day before he was charg'd with this Fact, they went in to Drink together, and while they were drinking, a Man habited like a Country Farmer came in and paid him 12 Guineas, and 3s. upon a Note, and that the Prisoner gave him a Receipt on the Back-side of the Note, but this Evidence was very much suspected by the Court, to be a hired Evidence, and this Suspicion was heightened by Depositions of one *Longstaff* and another Person, who depos'd, That  
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one *Norton* came to him in behalf of the Prisoner, telling him he had a Friend in *Newgate* on Suspicion of a Robbery, and it was like to go hard with him, unless he would serve him in procuring a Person that should give the Prisoner a Note for 13*l.* antedated about 7 Weeks, and payable about the time, or little before the Commission of this Fact, and that the Prisoner would immediately write a Receipt upon the Back of it, that thereupon to penetrate into the Secret, he did procure a Man who was to make a Shew of doing so, and went to the Prisoner to *Newgate*, wrote such a Note, but did not sign it; agreed for the *Premium* to swear to it, which was a Guinea, and half a Crown *per diem* during the Attendance at the Sessions. This Note was to have confirm'd the Evidence of *Mackdonald*. He added likewise, that the Prisoner had been before discharged of a Felony at *Ailsbury* by the Management of *Norton*. The Court perceiving the Contrivance, ordered *Mackdonald* to *Newgate*, and the Jury found the Prisoner guilty of the Indictment.

*Charles Powel*, said he was 40 Years of Age, born at *Dean Forest* in *Gloucestershire*, and brought up in *Monmouth* till about 20 Years of Age; that he learnt the Art of Periwigg-making, and had ever since followed it, dealt in Hair, and now and then

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Traded in that when he found it advantageous; that for the most part of these last 20 Years he had lived in the Parish of *St. James's Westminster*. He deny'd the Fact he stood Condemn'd for; and when the Ordinary pressed him to a Confession of it, he was very uneasie, and industriously endeavour'd to elude the Question and excuse himself from a positive Answer to it. The Ordinary being desir'd, put these Questions to him. 1<sup>st</sup>. Whether he had not made it his Practice for this many Years past to go and Lodge at Inns both at *London* and the Country, and there as opportunity served, Rob Travellers, taking their Money, &c. out of their Breeches Pockets, being under their Heads while asleep in Bed? and particularly at a certain time at *Bristol Fair*, he did not go several Nights to Lodge at several Inns there, and steal in this manner about 200<sup>l</sup>. from People that lodg'd there? Again, Whether about 5 Years ago he was not Try'd for such a Fact at *Aylesbury*, and for want of sufficient Evidence acquitted; and whether in *September 1716*, he did not steal out of a Gentleman's Pocket at the *Saracen's-Head* in *Friday-street*, a Gold Watch, &c. some Gold, Money, and a Silver-hilted Sword, and so went away in a Hurry; to which he answered he knew nothing of the Matter, saving that of his

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being clear'd upon his Tryal at *Aylesbury*; but he persisting to adjure him upon his Salvation to answer truly, he at first was at a stand, and then reply'd, Alas! I know the World would lay all such Robberies upon me that have been committed in *England* this 20 Years past; but being further press'd, would make no further Acknowledgment, but went to entertain him with a long Harangue of his former Life and Conversation, and this was all he could get from him.



## *The TRYAL, &c. of* **WILLIAM FULLER,**

May 20th, 1702.

**T**HE Information sets forth, That the Defendant being an Impostor and common Lyar, and maliciously Contriving and Intending the late K. *William* and his Subjects to Delude and Deceive, and Discords between the said late King and his Peers, and other great Officers and Subjects, to excite and Stir up; and to bring the said Peers, great Officers and Subjects into Hatred and Contempt with the said late King; and in order fraudulently to obtain great Sums of Money of the said late King

King; he, the said *William Fuller*, the 1st Day of *Jan.* in the 13th Year of the said King, at ——— in order to effect his said wicked Practices, and Intentions, did falsely, maliciously and scandalously Write and Print a false, scandalous and defamatory Libel, intituled, *Original Letters of the late King* (meaning the late King *James*) and others, to his greatest Friends in England; with the *Depositions* of *Thomas Jones* and *Thomas Widrington, Esquires*: *Proving the Corruption lately practis'd to ruin this Nation.* In which false, feign'd, and scandalous Libel among other things are contain'd, &c. Then the Information sets forth the several obnoxious Expressions, which are mention'd hereafter in the Evidence. The Information further sets forth, That the Defendant, the Day and Year abovesaid, in order to effect his other wicked Practices and Intentions against divers Officers and other Subjects of the said late King, upon a feign'd and pretended Correspondance, between them and the late K. *James*, while he resided in *France*; did frame and publish another false and scandalous Libel, intitl'd, *Twenty Six Depositions of Persons of Quality and Worth.* In which said Scandalous Libel, contain'd the following Expressions: *Mr. Jones has also made Oath, That he paid 5000l more by the late King's Order, to several Persons in Places of Trust, to compleat my Ruin,*  
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*and invalidate me for ever : Nor is this all, for the same Jones will prove by undeniable Witness, and Demonstration, that he has distributed more than 180000 l. in 8 Years last past by the French King's Orders to Persons in publick Trust in this Kingdom. Whereas in Truth, the said Thomas Jones did not depose upon Oath, as is contain'd in the said scandalous Libel, but the said Libels were false and feign'd, to the great Scandal and Abuse of the said late King, and his Ministers, &c. to the evil Example of others, against the Peace, &c.*

To which he pleaded not guilty.

The Council for the Queen, in opening the Evidence took Notice, That in the Year 1691 the Defendant, *Fuller*, was censured by the House of Commons, prosecuted, convicted, and punish'd for those Crimes he was now try'd for; and that notwithstanding he still persisted in these villanious Practices.

That about—Years since, he apply'd himself to the chief Ministers at Court, and insinuated what Discoveries he could make relating to the Cheat of the Birth of the Prince of *Wales*, and of great Sums of Money receiv'd by several Persons of Quality here, from the late King *James* and the *French King*, &c. but not meeting with Encouragement, he then undertook the abovesaid scandalous Libel, and Petition'd the House of Peers that he might



might be heard, to make out the Truth of them. The Peers appointed a Day for him, to produce those Persons he mention'd, to make good his Accusations and Charge, which he undertook to do; but failing from Time to Time, their Lordships order'd him to be committed, and prosecuted for an Impostor. But the Defendant being a hardned Rogue, was not humbled by this Order, but immediately thereupon apply'd himself by Letters, to the Speaker of the House of Commons, alledging the same Matter as he had done before the Lords. The Commons order'd him to be brought to the Bar, where he desir'd only 10 Days time to produce those Persons, mentioned in his Libels, and (to leave him without Excuse) they granted him a Fortnight; but having trifled with the Commons, as he had done with the Lords, they Voted him an In-correctible Rogue, and order'd him to be prosecuted.

The Matter thus open'd, they call'd their Evidences, producing Mr. *Fuller's* Book.

Mr. *Buck* depos'd; Mr. *Fuller* brought this Book to me in MSS. he said he took these Depositions out of the Secretaries Office, and desir'd me to Print it; and said it had done the King 10000*l.* Damage because it was not done sooner.

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Mr. Fuller, I will not give these Gentlemen the Trouble to prove it; I own this Book, and the other, intituled, *Original Letters from the late K. James, &c. published by Command.*

L. C. J. Holt. Mr. Fuller's Order is a Command it seems.

Some Paragraphs in the first Libel were Read.

Pag. 1. *Thomas Jones, Esq;* deposeth, That he being at *St. Germain's*, the Court of the late *K. James* in *Jan. 1692*, the said King being in his Closet, sent for this Deponent, and there commanded the said Deponent to begin his Journey for *England*, in Company with Colonel *Thomas de la Val*, and Mr. *George Hayes*; and the said late King did then, and there deliver this Deponent, several Letters and Papers to divers Noblemen, and others in *England*, to whom this Deponent hath several times before, and since, brought Letters from the late King and his Queen, and pretended Secretaries of State, and deliver'd them according to Order: And further, That the late King *James*, at the time aforesaid, did deliver to this Deponent a Paper, being an Order for this Deponent to receive 6000 *l.* which was to pay to several Persons in Trust then in *England*; to engage them to invalidate the Evidence of *William Fuller*, (who had been employ'd

employ'd by the late King *James*, as the said late King then said, in his most secret and weighty Concerns, since his coming into *France*.) *Pag.* 7th, and this Deponent saith, He inform'd Mr. *Fuller* that *Dala Val* and *Hayes* were come to Town, and Lodg'd at an *Apothecaries* in *Holbourn*, &c.

The Libel goes on, and Specifies several Sums given to Members of Parliament and other great Men.

Mr. *Att. Gen.* We have proved his publishing the Book; we will now hear what he can say for himself.

*L. C. J. Holt.* Can you make it appear these Books are True?

*W. Fuller.* I hope I shall: I have no Witnesses at present; but if your Lordship will grant your Warrant for *James*, I'll forfeit my Life, if he don't come.

*L. C. J.* You might have had *Subpana's* for your Witnesses against this Day.

*W. Fuller.* I endeavour'd it; but I had not Money to bear their Charges.

*L. C. J.* You made the same Excuse before the Lords and Commons: If you have any Witnesses, produce them.

*W. Fuller.* My Lord, I presume you cannot but remember, I behav'd my self Honourably in *Crone's* Case, and was own'd to have done the Nation good Service.

*L. C. J.* That was formerly, and signifies nothing to what you do now. You

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charge a great many Persons with Corresponding with *France*; you say Mr. *Jones* will prove by undeniable Demonstration, that he distributed more than 180000*l.* by the *French* King's Order, and to several Persons employ'd in the Government, and produce no Proof of it; and you say I had the Original of this from Mr. *Jones*, &c. Where are they?

*W. Fuller.* By his own Confession, he has been guilty of High-Treason; and therefore will not appear without a Warrant.

*L. C. J.* You cannot pretend to a Right to my Warrant.

*W. Fuller.* If your Lordship please to give me leave to say something in my Defence. When I had Printed this Book, I was Summon'd before the Lords, and after that was committed to the *Fleet*; my Friends were all call'd before the Lords, and by my Lord *Jefferies*, and other Lords; there were such Questions ask'd, as I believe were never ask'd before.

*L. C. J.* This is not to be endur'd; you do but aggravate your Crime: If you can offer any Matter to prove what you have writ, let us hear it: Where is *Jones*? Where did he make this Confession, and before whom?

*W. Fuller.* *Jones* is in *Hampshire*; I can't tell before whom he made it; but if your Lord-



Lordship please to give your Warrant I, will produce him.

*L. C. J.* Shall I make a Bargain with you? Why have you not produc'd him all this while before the House of Lords and Commons?

*Mr. Fuller.* My Lord, I cannot force him, I was with the Secretary of State, and told him *Jones* will not come in Voluntarily. If the Lords will grant a Warrant, he may be brought; I offer'd this to the House of Commons too, but it was not granted.

*Mr. Serj. Darnel.* The Secretary of State sent one or two for him.

*W. Fuller.* He sent no Body.

*L. C. J. Holt.* Gentlemen of the Jury, you hear what the Purpose of this Information is, you hear how it is prov'd; he owns he is the Publisher of them, and if you believe he did so, you are to find him guilty: And the Jury found him guilty without going from the Bar.

And he was Sentenc'd, To go to all the Courts in *Westminster*, with a Paper pin'd on his Hat, expressing his Crime; That he should stand three Times in the Pillory, two Hours at a Time, on *Friday* following at *Charing-Cross*, on *Saturday* at *Temple-Bar* and on *Monday*, before the *Royal-Exchange*: That he should be sent to *Bridewell* the *Friday* after, and there be Whipt, and

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kept to Hard Labour, until the 2d Day of the next Term ; and to be fin'd 1000 Marks.

All which Punishments were severely inflicted on him, and afterwards he was sent to the *Queen's Bench* to lye there for the Payment of his Fine, where he continu'd.

*William Fuller*, Commonly known by the Name of Evidence *Fuller*, or as he had stiled himself Colonel *Fuller*, was time indicted for a Misdemeanor in Cheating *Richard Jones* of 18*l.* 5*s.* The Prosecutor depos'd, That the Prisoner pretended to him he was Lieutenant Governour of the Tower and Warden of the Mint ; he using to frequent the House of a Woman that was his Neighbour, took Acquaintance with him, asking him how Trade went, and what he made by his Business, telling him he appearing to be an honest industrious Man he had a mind to be kind to him, and would help him to a Store-keeper's Place in the Tower, which would be worth 60*l.* a Year for Life, but that he must furnish him with Money for taking out a Deputation and such incident Charges ; that he thereupon, being elevated at the hopes of his Preferment, let him have Money in order thereunto ; that the Prisoner often came and sent to him for more Money, pretend-

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ing that he met sometimes with one Obstacle and sometimes another, but a little more Money would remove all, and he would be put into the Possession of his Office: but at last he perceived he had been trick'd out of his Money. The Prisoner denied the Fact, saying he never made any such Pretences; that the Prosecutor had lent him the Money, and that he never had any Money of him but what he took Notes of his Hand for the Payment of. The Prosecutor reply'd to this, That he never took any one Note of him for his Money, but only that the Prisoner had put a Note into his Hand to go and receive 5 *l.* for him of a Hoy-Man, but would never let him go to receive the Money upon the Note. And that he had also given him a Note to go to his Sister's Steward and receive of him 150 *l.* but could never hear of any such Person.

It appeared that the Fact was committed before the Act of Grace, and so the Prisoner was entitled to a Pardon; but upon this Condition, that the Prosecution being begun before the Act commenced, he was obliged to pay the Prosecutor his Charges, which was about 50 *s.* and accordingly he was informed by the Court that if he did so he might lay claim to the Benefit of it; but he pleaded he was so poor he had not 50 Farthings,

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Upon which the Court asked the Prosecutor if he would take his Word for the 50*s.* to which he replied, no; not for a crooked Pin. The Court ask'd him how he could suffer himself to be so imposed upon from time to time by him; he reply'd, because he thought he was bewitch'd. The Fact being plain the Jury found him Guilty of the Indictment. He was indicted a Second time for a Misdemeanor in Cheating *Henry Party* of 40*l.* The Prosecutor depos'd, The Prisoner using to come to the *Tilt Yard Coffee-house*, where he lived, took an Opportunity of telling him that he was a pretty Fellow, and it was pity he should spend his Time in filling out Dishes of Coffee, &c. and that he took such a liking to him that he would prefer him, telling him he had a great Place in the Treasury, and was a Commissioner of the Customs, and would put him into a Land-Waiter's Place, and wheedled him under this Expectation out of Money, at various Times to the Sum of 40*l.* making Excuses for the deferring his being put into Place; one time it could not be till Term, and then he should be sworn in the Treasury, and another time another Hinderance; and that he told him he should go down with him to his Estate in *Kent*, where he was to receive a 1000*l.*

And



And this was within the Limits of the Act of Grace, as well as the other ; but he could not comply with the Conditions of the Act, by paying the Prosecutor his Costs, as before, and so the Tryal went on. The Prisoner, denied his Pretences, and said it was Money lent, and what he would pay whenever he should retrieve his Misfortunes. He said likewise it was a Debt, in that he had given him Notes of his Hand for it. The Prosecutor acknowledged he had a Note of him for 20*l*. and that he gave him a Bill to receive 150*l*. of his Sister's Steward (*in Nubibus*) for he could never hear of any such Person. The Prisoner alledged that he had unkind Usage, in that the Prosecutors had contrived to defer his Tryal to this time, when those Persons who would have spoken in his Favour were out of Town ; and being asked who they were, he answer'd, the Lord *Townsend*, Mr. *Walpole*, and some other Great Men : The Court told him, that was a very pernicious Contrivance indeed, if it were so ; but however since these Great Men did not appear in his behalf, they desired him if he had any Persons of less Figure to speak to his Reputation to call them, challenging him to find one in the whole Court (which was then very full) to do it ; but none appearing, the Jury found him guilty of the Misdemeanor, and the Court

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Court lay'd on him a Fine of 50*l.* and two Years Imprisonment, which he not being able to pay, begg'd for Transportation to the Plantations which however was not granted him but there he remains still.



## *The T R Y A L, &c. of* *Thomas Panting alias Panton.*

**H**E was Indicted at the *Old Baily*, the 11th of *Sep.* 1717. For falsly and deceitfully uttering 110 light Guineas which had been Filed, he knowing them to be so, to one *Thomas Shanks*, Servant to Messieurs *Edes* and *Green* in *Lombard-street*, the 2d of *July*, The Council for the King having succinctly opened the Charge against the Prisoner, setting forth the infinite Detriment that such Diminution of the Coin would necessarily be to the Publick, supported their Charge by the following Evidence. Mr. *Edes* depos'd, That there having been a Parcel of Guineas paid in at his Shop by a Stranger some few Weeks before, some of which proved to be light, having been filed, he gave Order to his Servants when any Stranger came to pay in Money again, to take particular Care to see that they had not been filed; and that the

the Prisoner coming again the 2<sup>d</sup> of *July*, brought the Sum of 303 Guineas, some new some old, desiring a Note for them in the Name of *John Smith*; that the Guineas having been told by his Servant, were brought to him in a Shovel into the back Shop, and he having sorted them took ten of them together, rubbing his Finger over the Edges of them, and perceived some Gold Dust like fine Filings come off upon his Finger, and some Particles to lie upon the Board where the Guineas lay; that upon this they weighed them and found 110 of the 303 to be light, wanting about 18<sup>d</sup>. per Guinea. Whereupon he went to the Prisoner, who waited for his Note, asking him who recommended him to pay the Guineas to him; the Prisoner answer'd him, one *John Smith* a Clothier living at *Beesely* in *Gloucestershire*, to which he replied, he did not know any such Person. To which he made Reply, he must need know him, for he had paid Money in to him before. Upon which he told him the Guineas were many of them light and had been filed, and therefore he must detain him till he could give him an Account of himself and Satisfaction how he came by those Guineas. He giving him some unsatisfactory and evasive Answers, and being in some Confusion, was for going away, saying he had some Business upon the Exchange;

*change*; whereupon he told him he must detain him, and if he would not consent to stay, he must charge an Officer with him: Whereupon he did consent to stay, but desired a Porter might be called to send home with a Message to his Wife, which they did permit him; and that he desired him to send for some Persons that could give an Account of him, but he not doing it, he sent to Mr. *Pinkley* the Warden of the Mint, who coming to him, they interrogated him as to his Circumstances, and how he came by the Guineas; and likewise being told that he had not long before paid in 300 and odd Pounds, desired to know to whom he had paid this Note; to which he giving no satisfactory Answer; they carried him before the Lord-Mayor, and there mention being made of the Weight of the light Guineas, he said he did not know what a Guinea should weigh, and had never weigh'd a Guinea in his Life; the Lord-Mayor asking him the like Questions, he gave nothing but trifling Answers; whereupon he was committed to *Newgate*. This was confirmed by Mr. *Thomas Shanks* and Mr. *Rogers*, who added, that upon Mr. *Edes*'s enquiring of the Prisoner, what has been before related, he appeared to be very dejected, and trembled. Then Mr. *Pinkley* depos'd, That mention being made of going to search his House, he having had

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had the Opportunity of sending home a Porter before, it was thought most advisable to defer that for some time, till they should think they would probably take no farther Notice; and accordingly deferred the Search for 3 or 4 Days; when taking a Warrant and Officer, they went to his House, found it an House of small Appearance, of about 5 or 6*l.* per *Annum*; that the Window-shutters below Stairs were kept shut, and that they knocking at the Door, a Lad came, who talking with them over the Hatch seem'd unwilling to let them come in, till he told him he must come in, having a Warrant, and therefore if Opposition was made, must use Violence; whereupon they entring, found the Furniture within meaner than the House without, the whole amount of the Inventory of the Furniture, in their Opinion, not to exceed 5 or 6*l.* that going up Stairs there was a Loom or two, and a Lad piddling about something, but could find nothing of what they expected; that there was a Man who pretended to be Brother to the Prisoner, and that being in the Workshop they espying a Door that went out of that into another Room, they desired to see it opened; but the Brother was very unwilling, saying, they could not, for he had not the Key, whereupon setting his Foot against it, the Door flew open.

open, and the Room was very dirty and dusty, and some small parcels of Money lying in several Places, and the Furniture exactly answerable to what they had seen before; that there was in it a Bed, but a very sorry old torn thing, and an old Trunk; they desired the Trunk might be opened, but the Brother saying he had not the Key, they replied then they must break it open; whereupon he fetch'd a Key, which tho' not the Key of the Trunk they got it open; that in this Trunk in one Parcel was 93 Guineas, in another 193 and a half, in another 187 and a half; then searching about the Bed, there were under the Bed some old Bottles, and the Constable feeling with his Staff felt a Cloth, and found in it 346 Guineas, of which there were 20 that had been filed. And that all these Parcels of Guineas were fresh new Guineas, very fair, and either King George's or Queen Anne's, and that they found also a Pair of Gold Scales and Weights for a Guinea, a half Guinea, and Grains, but no other Weights, and that they found also a Paper, upon which there seemed to appear among some Dust something to shine, as if there had been in it some fine Filings of Gold, or some other Metel, and that they found likewise a *Subpoena* in Relation to a Suit of his depending, which he carried on in *Fauma*

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*pauperis.* These Circumstances were generally confirm'd by the Officer, and those that were present at searching the House. Mr. *Pinkley* added, That afterwards going to him in *Newgate*, they desired him to give them Satisfaction how he came by the said Parcels of Mony, to which he answered very evasively, that he had received it of various Persons in small Sums as 5 or 10*l.* &c. and that his way of getting it was by his Employments, sometimes as a Weaver, sometimes as a Solicitor at Law, and sometimes in Stock-jobbing, &c. But that they suspecting that he had received the Mony from some Accomplices who had furnished him with it in order to File, or at least to put off, they promised him if he would discover those Persons, he should not be prosecuted; but he refused to make any discovery, saying it was his own Mony. Mr. *Edes* likewise deposed, That in order to inform himself who this *John Smith* was at *Beefely* in *Gloucestershier*, in whose Name he would have taken a Note for the Money, he sent to the Minister of the Place, and received from him two Letters, which were produced in Court: The Import of which was, That he had made very diligent Inquiry, and that there was no such Person there. Several of his Neighbours appeared in Court, and deposed, That he had the Repute

pute of a Man in mean Circumstances; among which were the Officers of the Parish, who depos'd, That about 2 or 3 Years since, the Prisoner being rated 4*d.* per Month to the Poor, they could never get any Money of him. But always when they went, found the Door shut, and some body or another to answer them out of the Window, but when they were a going out of their Office and had obtained a Warrant to make Distress, they did with much Difficulty get into his House to distrain for 15*s.* 2*d.* but when they came in found not Moveables worth their taking, and that he said he was a poor Man and not able to pay, but they resolving to cut a Piece of Stuff out of the Loom, he said it was none of his own; but at last muster'd up 10*s.* which he said was all that he had, and engaged one of the Officers who was his Neighbour to lay down the 5*s.* for him. Others depos'd, That his Trade he carried on was very inconsiderable; and a Lodger in his House said, that he seemed to be very necessitous, being always very pressing for his Rent as soon as ever Quarter-day was past. Several other Things were depos'd, That tended to prove that he was reputed a Man of mean Circumstances; so that it was more than probable that he must have Accomplices who had supplied him with this Money, in order either to diminish or

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## Thomas Panting. 165

utter, or both. These Allegations the Council for the Prisoner endeavour'd to obviate, by producing Witnesses how he might come by this Money, and that consequently it was his own, that it was what he had been scraping together for this 15 or 16 Years by working hard with his Hands, racking his Brains and starving his Belly; and likewise saying, that a Man might put away false Money unknowingly. They called a great many Witnesses, some deposed, That they knew him about 13 or 14 Years ago when he came to Town, and brought with him Cloth which he sold here to the Value of 70*l*. that he had since that worked Journey-work, and afterwards traded for himself; that he had the Repute of a Mony'd Man; that he had lent Money upon Pawns, to be paid by weekly Payments; that he had discounted Notes: And one said he had lent 100*l*. upon Security, which Money was paid him again not long before his Apprehension for this Fact; and another particularly testified, that 5 or 6 Years since he desired him to look out for a Purchase for him worth 5, 6 or 700*l*. and that he showed him the Money to pay for it. Another said he had offered to give 200*l*. for some Houses; that he had the Reputation of an honest fair-dealing Man; that he was very frugal and saving, making Advantages of his Money every

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every way he could, contenting himself with bare Necessaries at home and abroad, and many Things of the like Nature. To which the Council for the King reply'd, that the Prisoner had produced no such Person as *John Smith* a Clothier of *Beese-ly* in *Gloucestershire*, who recommended him to pay the 303 Guineas to the said Messieurs *Green* and *Edes*; that an honest fair-dealing Man had no occasion to make use of such Falsifications in paying his own Money into a Goldsmith's Hand; that he had yet made no Proof how he came by these Sums of Money, in as much as excepting the 100*l.* said to be paid to him; the Notes said to be discounted, were most of them some considerable time before, and the Sums themselves but small, and together amounting to no Sum comparable with 1100*l.* which Sum of Money was found upon him in Gold. They observed likewise, That this could not be likely to be Money that he had hoarded up, because they were all of them new Guineas, fit for filing: They observed likewise, that he had made no Proof of any considerable Dealings in his Trade, whereby to procure such a Sum; that he had produced no Proof of his dealing in Stocks, *Exchequer*-Notes, or any thing relating to Publick Credit, no, not so much as his having bought or sold one single *Exchequer*-Bill.

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As to his taking in Pawns, they observ'd likewise, that the Persons who search'd his House, had depos'd, They found no such Pawns (except a Gold Chain of small Value, a Gown and Petticoat, and 3 or 4 Rings in the Trunk aforesaid) nor no Books of any Account of any such Dealings in any of these Occupations. They likewise observ'd, that this Action of uttering the Guineas was very unlike an Old Gripe, as his Council had been labouring to prove him, in that no Man that was bent on improving Money would pay it into the Hands of a single Goldsmith upon his bare Note which allows no Interest, when he may for it have *Exchequer* Notes on Parliament Security, &c. which bear Interest. They observ'd likewise, that such Persons did not use to leave such a Sum as 470 *l.* so carelessly as in old Clouts under a Bed. They observ'd also, that tho' the Prisoner said before the Lord-Mayor, that he never weigh'd a Guinea in his Life, yet a Pair of Scales and Weights were found in his Room; and many other Things by which it appear'd highly probable, that it was Money he had been furnish'd with from other Persons, for the said fraudulent, and pernicious Intent and Purpose: And, however, were it his own, the Suspicion was the stronger upon him, in that he had given no Proof of whom, when, or where he received

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receiv'd it, or what honest Intent he could have in paying them to Messieurs *Green* and *Edes*. The Jury considering these Circumstances, after a long Consultation brought him in Guilty of the Misdemeanor, and the Court laid on him a Fine of 200*l.* and 3 Years Imprisonment.



*The T R Y A L, &c. of*  
**JOHN MONSTIEURS.**

**H**E was indicted at the *Old Baily*, the 4th of *Dec.* 1718. for the Murther of *John Heming-Rule*, by giving him several Wounds on the left Side of the Head, and putting him in a Pond, by which he instantly died, the 17th of *October*. He was indicted a second time upon the Coroner's Inquest for the same Fact. A third time for assaulting the said *John Heming-Rule*, and taking from him a Perriwig value 2*s.* 6*d.* two GoldRings, a Piece of *Danish-Gold*, 2 silver Medals, and other Goods, the 17th of *November*. *Joseph Baker* depos'd, That about Seven or Eight a Clock on *Thursday* the 17th He going towards *Mary-Bone*, about a Hundred Yards beyond *Nib's Pound*, in the Road, found a Coat, wet and bloody, but most on the inside, that

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that he carried it into an Alehouse, and in One of the Pocket's he found a Ticket of the Company of Apothecaries, signed *Andrew Selkin*, and supposing that the owner of the Coat had come by some misfortune went away immediately and enquired him out, and showing him the Note and telling him how he came by it; He owned it to be his Hand, and directed him to the Prisoner's Lodging, whither he went with the utmost Expedition, and having taken off a Button from the Coat he found, showing it to the Deceased's Landlady, she immediately said it was a Button belonging to her Lodger's the Deceased's Coat, and upon sight of the Coat said it was his, that thereupon going to *Hungerford* Market, and enquiring farther he had very great reason to suspect the Prisoner, and procur'd him to be apprehended as followeth. Having gotten a Constable and Beadle, he sent for his Landlord *Mr. Vennier* to an Alehouse, telling him they suspected his Lodger had Murder'd the Deceas'd; to which he reply'd if so, he being gone out, he doubted whether he would come home again or not. But that the Key of his Room hung up in his Shop, and if they pleas'd they should go in and see what was there, which they did, and found that he had carried away all his things of any value, but they found a Pocket-Book writ-

ten in French and Dutch, got one Mr. Ware to read it, and found some Account relating to the Prisoner, as having served as a Coachman to the Count *de Avila*, and a Note of 25 *Pistoles* on account, as having been Servant to the Count *de Shoels*, as *Vallet de Chambre*, then they brought away the Book, lock'd the Door, hung up the Key, waiting to see if he came home again or not; and in a small time while they and some Neighbours were talking about the matter, one of them spyed the Prisoner coming on the other Side of the Way, they seeming to take no notice, he came into the Shop with the Deceased's Cane in his Hand, took the Key and went up Stairs; and staying a small time he came down again, asking him if any Body had been in his Lodging, and demanding the Pocket-Book, and while he was talking with the Prisoner one of the Gentlemen gave the Landlord a Sign to clap his Hand upon the Prisoner's Sword and secure it, which he did, and then another clapped him upon the Shoulder, and having secur'd him, told him they apprehended him on Suspicion of a Murther, to which the Prisoner reply'd, a Murther! a Murther: What you mean by dat? Then they told him they would use him like a Gentleman as he appeared to be, and therefore would not expose him publickly till further Satisfaction

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on was obtained, and that if he would he might go up into his Chamber, which he did, and they sent away immediately for an Officer. In his Lodging were found the Deceased's Belt and Wigg, the Latter wrapped up in a Sheet of Paper, but wet and bloody, and with several Holes in it which answered to the Wounds that were in his Head, as it appeared, when the Body was found, and also a Pocket-Book and Letter-Case of the Deceased's, in which were Two cut Paper Snuff-Boxes, but they also wet, which were produced in Court, and sworn to be the Deceased's by his Landlady to whom he had given Snuff out of one of them the Morning before he was Murdered. From thence he was carried to the Round-house, and being searched, there were found in his Pocket Two large silver Medals, and a piece of Danish Gold, which were produced in Court, and sworn to be the Deceased's by the Landlady and another Evidence, to whom the Deceased had several times shown them, the Prisoner had likewise Two gold Rings, which he said were his own, and was bid to put them on, One of which he could not being bent, the other he did, but with much Difficulty, and being on his Finger a Gentleman asked what was the Posies of them, answer'd it was all German, but when they were viewed had no Posey, but

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one of them the Letters *I. H. R.* and the other marked with the Letters *M. V. H.* the same Letters with which the Deceased's Linnen was marked, he had likewise found in his Pocket a Sword Belt, made of the same Cloth of the Deceased's best Cloaths.

*Ann Barker* depos'd, That the Prisoner having lodged with her about 4 Months ago, went away to *Holland*, and upon his Return, about the 1<sup>st</sup> of *October* brought to her House a young Gentleman of about 20 Years of Age which was the Deceased, to lodge with her, and he not speaking *English* the Prisoner bargained with her for him at 7s per Week, and used to come to and fro to him and the Deceased used often to go to him, and that on the 16<sup>th</sup> of *October* the Prisoner came and asked what was due to her and paid her, desired a Porter might be called to carry away the Deceased's Baggage, being a Box, a Trunk and a Portmanteau, and gave him a full Pot of Drink to carry them into the Strand to a Coach, going away about 4 a-Clock in the Afternoon, *Ann Vennier* depos'd, That the Prisoner and Deceased came to her about 4 of the Clock the same Day in the Afternoon, and the Prisoner agreed with her for a Lodging for the Deceased, that they desired to have something to eat, had some Beef-Stakes and eat together, that about 6 of the Clock they went away together,



gether, and the Deceased came not home to lodge that Night, nor did she see him any more. That the Prisoner came there again about 8 of the Clock, staid within about 2 Hours, went out at 10 a-Clock and came not in all that night. The next Morning he came in again about 8 a-Clock, asked for a Washer-woman, gave out some Linen to be washed, which Linen was sworn to be his by the Washer-woman, and to have been wet, dirty and bloody when he brought them to her, staid 2 or 3 Hours and then went out again. This was confirm'd by Mr. *Vennier* who added that when the Prisoner was going out at 10 a-Clock at Night he gave him Half a Guinea, desiring Silver for it, that he gave him 3 Shillings, that he left the Half-Guinea with him and went away, telling him he should not come in that Night, and that the next Morning when he came in, he heard him walk about the Chamber, as in a Hurry, and making a rumbling, walked up and down Stairs several times, and at his going out asked for more Money of the Change of the Half-Guinea; and that about an Hour and a Half after he was sent for to the Ale-house. The dead Body not being found, several Persons went in Quest of it but could not find it; but his Hat was found in a Field not very far from where the Coat was taken up, *Ralph Gold*  
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depos'd, That he got a Creeper and crept the Pond in the Field, near where the Coat was found, he pull'd out the Deceased's Hat, which had several Cuts in it, that answered to those in the Wig and Head of the Deceased, (which Hat was also produc'd in Court) that there being some Chick-weed on the Coat; he was told that there were Ponds in some further Field where was Chick-weed, that in the Third Field he found Ponds, and near the Pond side he perceived the Ground had been trampled, and perceived Blood, followed the Track, and near the Edge of the Pond saw a great Quantity of clodded Blood, and the Deceased's Sword out of the Scabbard but broken, and that a Knife was there taken up by another Person, which was sworn to be the Prisoner's Knife, and which he owned to be his Knife when it was show'd him, and that creeping that Pond his Creeper took hold of the Deceased's Breeches, the Body lying at the side of the Pond under some Bushes, as if it were stamped in the Mud. That he had all his Cloaths on but Coat, Hat and Wigg, his Pockets turned inside out, but one in which was a Knife and Fork, the Body was afterwards view'd by several that knew the Deceased and sworn to be the Body of *John Heming-Rule*. Mr. *Barnard* the Surgeon depos'd, That there were several

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several Wounds on the temporal muscles, that they were beaten all to pieces and that opening the Head he found a Concussion of Blood upon the Brain, but did not think the Wounds mortal, but that rather he was first stunned, but with what Weapon he could not say, and then suffocated in the Pond, many of these Circumstances were confirmed by Variety of Evidences, and many more too long here to relate. Another Evidence (a Gentleman that happened to be present when the Prisoner was in the Round-house, and who spared no Pains to trace the Matter) depos'd, That he having heard the Deceased had been at *Hampton-Court*, went thither, was informed he had, and that Baron *Bothmar* had given him two Guineas, each of the *Turks* one, and that he had been presented to his Majesty, who gave him some Guineas also, but what Number he had not learnt; so that it appeared very probable, it was their Generosity that brought the unfortunate Gentleman to that tragical End. The Prisoner being called to make his Defence, denied his Knowing any thing of the Murder; and being asked since, about Six a-Clock, as had been proved they went out together, what became of his Friend the Deceased: To which he answered, They went to *Holborn*, and there parted, he going one Way, and the Deceased another.

Being asked where he was ; he said he was all Night at the Night Cellar at *Charing-Cross*, (as it appeared, they having sent to enquire, he was after Ten of the Clock till next Morning, drinking with Porters, Chairmen, and such like Company, which he said he did for his Diversion, but probably, to divert the Horror of his Mind) But being called upon to prove where he was from Six of the Clock till 8 he said he was at *Knight's* Coffee House, but could not produce the least Proof, of it. Being asked how he came by the Deceased's Rings, Medals, Belt, Pocket-Book, Letter-Case and Cane, he answer'd, That he had paid 2 Guineas for the Deceased's Passage from *Holland*, 7 Shillings per Week for his Diet, and lent him Money at several times, and the Deceased had put all his Effects into his Hands on that Account. Being asked how he came to have the Wigg that it appeared the Deceased was Murdered in, he gave no other Answer. Being asked how his Knife came by the Pond-side where the Deceased was Murdered, he alledged, that the Deceased borrowed it of him. The only Evidences he called were two foreign Women, *Cornelia Van Polberg* and *Joanna Rachel Van Stanfleet*; the Sum of whose Evidences amounted only to this, That they had known that the Prisoner had sometimes used to bleed at

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## John Monstieus. 177

at the Nose. By that he endeavoured to account for the Bloodiness of his Shirt, Neck and Sleeves; but being asked how they came to be wet and dirty, as well as bloody, he said he let them fall. The Jury considering the whole Matter, without Hesitation found him guilty of all three Indictments, and he receiv'd Sentence of Death. It is Remarkable that the Prisoner bringing away with him some Things of the Deceased's of so small Value, as particularly the Belt and Wigg, which were strong Evidences against him, and especially the Wigg, which was not only very remarkable, but such for which no Man would have given Half a Crown, carries in it strong Indications of the Infatuations of Persons guilty of barbarous Inhumanity, and verifies that saying of one of the Antients, *Quos Jupiter vult perdere, hos d. mentat.* Thus ended the Prisoner's Tryal, for a Murder as barbarous as it was providentially discovered, and industriously traced, by Persons who had no other Motives than Humanity and Justice; and he apprehended so opportunely, that, in all Probability, in one Hour more he might have got out of the reach of the Avengers of Blood.

*John Monstiers* gave this Account, that he was 27 Years of Age, born at *Enwegeri* in *Gelderland*, that he had been brought up in the Business of Merchandizing, dealing in

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Wines and Brandy, which he bought in the *Low Country's*, and imported in *England*. He deny'd the fact for which he was condemned, and would fain have perswaded the *Ordinary*, that he was innocent of it, and that he was a Person of a good Life, and good Reputation, in his own Country; but profess himself a *Roman Catholic*, the *Ordinary* having been inform'd that he was sometime before to have been married to a *Dutch-Woman*, who was a Protestant, and that one of the Conditions was, that he should leave the *Romish Church*, and embrace the Protestant Religion, thereupon he ask'd him if it was so, to which he answered it was. He then ask'd him whether he would now do for the good of his Soul, what he promised to performed for the sake of his Love, and whether he would be a Protestant, whether he liv'd or dy'd? at first he answer'd he would, but sometime after this said, that as he suppos'd both Religions were good, and he was to die so soon, that now he had neither time, nor indeed any proper or free Disposition of Mind (under his present Distraction or Disquietude) to attend to any Instruction relating to those Points or Principles wherein they differ the one for the other; and considering also that he was born in the *Romish Communion*: So he thought not fit to Renounce it, and Embrace another; which

which (for ought he knew) he might have done, were he to have liv'd longer in the World; for he was inclinable enough from the Instructions he had of the *Ordinary* to believe that of the two, the Protestant Religion was the better, and profess'd that he rely'd on the alone Merits of Jesus Christ for the Pardon of Sins. And being press'd to a full and free Confession of his Sins, he own'd that he was guilty of the Fact; but said, the Deceas'd having first began a Quarrel with him, they both (by consent) went out together, to decide the Difference by dint of Sword: Signifying he accounted it a legal or allowable way to ask, or receive Satisfaction for Affronts; and the *Ordinary* endeavouring to Convince him of that Mistake he reply'd; I am now to satisfy the Law for it, and pray God to have Mercy upon my Soul. And upon further Exhortation he confess'd that he had formerly fought several Duels with Officers, and other Gentlemen, wounding some of them, but never had killed any, and as to other matters, he had lived like other Young Gentlemen, not so well (he must needs confess) as he should have done, for which he implor'd God's Mercy and Pardon. But the *Ordinary* pressing him very Close, to tell him whether he did not kill the Deceas'd, with an intent of having his Money, and his other Goods,

He

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He reply'd sure enough, and would say no more, nor did seem to be much concern'd. But when the time of his Execution approached nearer, he seemed to be more mollify'd, and Express'd great Grief for all his Sins, and particularly for that Fact he was to Dye for, and fully confest that he was guilty of willful Murder: That the Person he killed, had not in the least provoked him, nor challeng'd him to it; but that out of a Covetous, Malicious, and Cruel Heart he did it; thinking to find with the Deceased, a great deal of Gold, Money, &c. But he was disappointed therein, for he found but little of that about him. That as to the Manner of the committing that Barbarous Murder, it was done with a Hammer he carry'd in his Pocket for that very purpose, and with which he struck him in divers places, Head, &c. He was executed at Tyburn Dec. 20th 1717. with other Criminals, and his Body was after Anatomiz'd in Chirurgeons-Hall.



### *The T R Y A L, &c. of Mary Jpsley, and Elizabeth Rick- ets, of the Parish of Eling.*

**T**HEY were indicted for the Murther of a Person unknown, the 27th of December 1717. Elizabeth Stephens deposed,

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pos'd, That she came to *Mary Ipsley's* House four Days before the Deceas'd came, and was to be there as a Servant for her Diet and Lodging; that on the *Monday* before *Christmas*-Day, the Deceased came to her Mistress's House desiring Lodging; that she called for some Drink, and eat some Bread and Cheese, and went to bed; that between a 11 and 12 a Clock, she heard her cry out for Help, and was going up Stairs, but *Mary Ipsley* would not suffer her, threatening she would knock out her Brains; that she then went to go out at the Street-door, but it being lock'd she could not; that her Mistress bidding her go to bed, she took a Candle and went to bed up another pair of Stairs, but that she heard nothing of the Woman the next Day, nor ever saw her any more till the Monday following. She added that on the *Tuesday*-night 2 Men, one of whose Names was *Thomas English*, lay in the same Room where the Woman lay, and that the next Morning when he came down he said that there was a dead Corps; that *Thomas English* went away and came no more till the Monday following: that then there was a Coffin set below Stairs, and *Thomas English* brought down a dead Woman quite naked as ever she was born: that she looked in the Coffin, saw the Woman lying in it, and a Child laid in her Arms; that the same Day

Day there was a Cart came, and the Coffin was put into the Cart, in order to its being carried to be buried at *Eling*; that her Mistress would have *Thomas English* have drove the Cart, but he would not, but went away. *Mary Webb* deposed, That *Mary Ipsley* hired her Cart, giving her 2 s. to carry the Corps to *Eling*; that a Boy drove the Cart, and that she went along with it; that by the way the Horse fell down, upon which *Mary Ipsley* cried out, and she asked her what she was afraid of: she replied, she was afraid the Coffin would burst open; that she answered her again, suppose it had, what then? she hoped she had not buried the Corps naked: she replied, No, she had buried her in a white Mantle. She added, that she said it was a Woman who died in a Convulsion-Fit, but she said nothing of a Child. Mr. *Tillet*, the Curate of *Eling*, deposed, That he gave the Clerk Orders that when any Persons were to be buried to let him know of it before hand, that he might be in the way; that there were two Children to be buried the 30th of *December*, and he having been Invited to dine that Day with the Church Warden of *Brentford*, he desired him to let him know when they would be ready and he would be there as soon as they, and that the Overseer of *Brentford* and his Wife dined there also; that after  
Dinner

Dinner he went to *Eling*, and the Children being brought there to be buried, he looked behind him and saw a Coffin in a Cart, upon which he asked the Clerk from whence it came : he answered, from *Tumble down Dick's* at *Brentford*. He then asked the Clerk if there was a Grave ready for it, he answered him there was one almost ready : he enquired if the Bell had gone for it, and was answered No. He then enquired of the Prisoner who the Person to be buried was, she answered a Pensioner's Wife that came to her House the last Night, and was taken with a very violent Fit, and continued in it till she died. He said that was a little odd. He asked her if she had acquainted the Church-warden or Overseer of the Poor with it, she answered she had : he asked her if she was sure of it, she said she had acquainted them with it ; he asked when, she replied about 2 or 3 Hours ago : he asked her again if she was sure she had, she then snapp'd at him, saying, don't I tell you so? That then he answered her it was false, for he had been for 4 Hours at the Church-warden's House, was at Dinner there and the Overseer was at Dinner with him there, and if so he should have heard of it. Then she made him no Answer, He then told her, I must suspect you, I will see the Corps : she replied to him, can you answer

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swer that? he made answer, I can't tell whether I can or no, but however I will try for once: With that she came and whispered him, telling him in the Ear, she died of a very bad Distemper, she is all over full of Plague Spots; that then he replied, let it be Pox or Plague, he did not fear; he was in the way of his Duty, and with the help of God he would see. Then she came to him again, and said, to tell you the Truth she has no Shroud on: to which he replied, the more Beast you then, and sent for Tools to open the Coffin, and desired what Women were present to inspect the Corps, and also that the Men would withdraw at a distance, and that he himself stood at some distance from it, but observed how *Mary Ipsley* behaved her self; and when the top of the Coffin was raised at the Head and about half open, she ran to it, put her Hand into the Coffin, took the Corps hold about the Head or Neck and shook it: he asked what that was for, and she answered to make her purge and stink them all out of the Church. That after the Women had viewed it, he was informed that the Corps was indeed stark Naked, as when born, and that they saw Marks of Violence and barbarous Usage; and that there was also a young Child in the Coffin. *James Scot*, the Clerk, deposed, That on the 30th of  
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*December*, about 3 Hours before the Corps came a Woman came from *Tumble down Dick's* at *Brentford*, and order'd him to make a Grave for a Woman, who was a Pensioner's Wife who had died at her Mistress's, he asked her why she did not send to have the Bell rung, the Woman answered she did not know; that he made the Grave and the Corps was brought, and that Mr. *Tillet* talking with him about it, he said he was in a strange hurry of Mind, and am taken with a Trembling and so strange, I can't tell what is the matter with me, I wish this Woman is not Murthered, I will have the Coffin opened before I bury her; That when the Minister would have the Coffin opened she told him the Deceased had the Plague and stunk, and was so nastey that it was not fit to be seen. The Clerk went on and confirmed what the Minister had before related. *Sarah Barker* deposed, That she was one of the Persons desired to view the Body, and that she found no Plague Spots as the Prisoner had said, but that there was a black Place on the side of the Head and a Lock of Hair all bloody and clotted, by her Ear. *Mary Scot* deposed, That Mr. *Tillet* asked *Mary Ipsley* when the Woman died, she answered, the Night before: then he asked her why she buried it so soon, that she replied she died of the Pox and the Plague, and she

she stank so she was not able to bear her in the House: that they afterwards opened the Coffin, and *Mary Ipsley* thrust in her Hand, as had been before related: that they found the Corps naked, and a Child at the End of the Coffin, lying under the Deceased's Feet, one side of her Head was bruised, and her Hair was matted with Blood, and Blood came out of one Ear and one Nostril, and she had received much more Damage than is usual below, and was not ragged but seemed to have been cut, for the length of an Inch or more. There was no Spot on the Woman's Body, but a clean Corps from head to foot: there was a Call over the Face of the Child, one of the Women pulled it off, and there was no Nose, but what was flat, even with the Face, only two Nostrils did appear. This was also confirmed by *Mrs. Floyd*. *Mrs. Preston*, a Midwife, deposed, The same with the other Women, adding, that the Blood stood in the Left Ear of the Deceased ready to run, that there were two places on each side her Mouth that looked as if they had been hurt, and from her Shoulder to her Elbow as if there had been hard Gripes, a very great Bruise on the Right side of her Belly, and that there was such a Vacancy that no Child ever made in a Woman by its Birth; that the Call being taken from over the Child's Face, the  
Nose

Nose was flat, the Nostrils of the Child Bloody, and the Blood flew out of the Child's Mouth in a Bladder, and there was a Bruise on the Childs Head and the right side of the Neck, and that the Child was at its full Time, and that upon the whole she did not believe the Life of the Woman and Child went out by the common Course of Nature. Mrs. *Banister* confirmed what the other Evidences had said; and deposed, It was her Opinion, that the Deceased had been cut, for that no Woman ever received so much Damage, or could, by the Birth of a Child; and that the Child had no Nose only Nostrils, and was as flat as the back of the Hand. Mrs. *Levings*, another Midwife, also confirmed what the other Evidences had said; and added, she did believe the Woman was drained dry, because she never purged in the Coffin first nor last. *Jane Round* deposed, That she having viewed the Body, and being of opinion that she had been barbarously used, went to *Mary Ipsley*, and desired her to declare the whole matter, and who had been guilty of that Barbarity, and not to go to save others and hang her self; telling her she did believe somebody deserved to be hang'd. That she made answer, she knew nothing of the matter; that there being a Woman setting at some distance from her, whom she called Nurse, she said what was done

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done she did. The Woman made answer, Ay, Landlady, but you said I should come to no Trouble. That *Mary Ipsley* replied, Ay, Girl, so I did; no more shall you. Mr. *Gilbert* deposed, That he was desired to see the Body, but it was about 8 Days after she had been buried, and he found it as has been before testified, and that the *Rectum* was much dilacerated; that he opened the Body and found it a clean sound Body.

*Mary Ipsley* pleaded in her defence, that the Deceased came to her House on the *Monday* before *Christmas-day* in a very poor Condition, and desired she might lodge there that Night, but she refused to let her, till by the Perswasions of some Men who were drinking there she did; that the Deceased said she would go to *London* early the next Morning; that about 9 a Clock the next Morning she sent to call her, but no Answer was made and wondring at it, they went up to see, and found her in a Fit; that she got Geneva and rubbed her Temples, got Sack and Black-Cherry Water, and her Teeth being set they could not get it down her Throat; that some time after she seemed to be a little recovered by lying still, but soon after she fell into another Fit, and so continued all Day on *Wednesday*, on *Thursday* she fell into her Fits again, and continued



tinued in and out of them all *Thursday*, and so *Friday* and *Saturday*; and she never heard her speak from the Night she came till she died; and on *Sunday* Morning a Woman that came with her from *Windsor*, and tended her as a Nurse, went up Stairs to see how she did, and came down in a Fright and said she was in Labour; they went up immediately, and both she and the Child were Dead, the Child being born Dead. Se also called Persons who endeavoured to invalidate the Evidence of *Elizabeth Stephens*, by giving her the Character of a loose Person, and called the Overseer to testifie she had told him of a Person that was taken ill in her House of Convulsion Fits, and that she did apply her self to him for a Coffin for her; she called also a Midwife and Surgeon, who endeavoured to account for the extraordinary Dilaceration, supposing it not to be cut, but that it might be possible to be torn by the strength of the Convulsions (though this was strenuously opposed in Court, and with strong Reasons,) and that the Child had been dead three Days before the Birth. Upon the whole, there being no Evidence that affected *Eliz. Rickets*, and the Evidence against *Mary Ipsley*, though strong, being but presumptive, they were both Acquitted.

The TRYAL, &c. of  
JOHNSTONE.

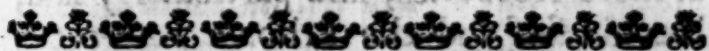
HE was indicted for High-Treason, *January 10th 1718.* for Counterfeiting the Current Coin of this Kingdom, and making 40 pieces in similitude of half Crowns, and 40 more in similitude of Shillings, the 2d of *November.* The Council for the King inform'd the Court, that the Prisoner was one of the most notorious Offenders; and that for several Years past, had been constantly Coining, and had been apprehended by the Warrant of the Lord *Sunderland*, and did then make a show of discovering his Accomplices; but being committed into the Custody of a Messenger, he made his escape thence, and had been retaken; and that there was the strongest Grounds for presumption, that he had been guilty of the same Fact, even in the Interval, in as much as when he was retaken; There were 27 counterfeit Shillings found about him. *William Faulkner* deposed, That the Prisoner did use to buy counterfeit Money of *Abigail Newstead*, before he knew how to make it; but afterwards the Prisoner and himself used to coyn together at the Prisoners Lodgings: And on the 19th of *July*, in *Crown-Court* in *St. Giles's*,

*St. Giles's*, did Coyn 5 l. of that counterfeit Mony, and used to go out every Night with one *Sarah Patrick*, to dispose of the said Money; and that about 19 Weeks ago, the Prisoner and himself did at the same place Coyn 8 l. in half Crowns, and that when they had done they used to break the Moulds to pieces, and fling them into the House of Office, to prevent discovery, and so make new ones every time. *Catharine Mackoon* deposed, That about 9 Months ago he used to buy this counterfeit Money of *Abigail Newstead*: That the Prisoner afterwards quarrelling with *Newstead*, would not go for it himself, and therefore used to send her for it, and that he had had several Pounds of it out of her Hands; but afterwards said, that now he could make it himself, and therefore did not care a Fig for any of 'em. *Mr. Wootton* deposed, That when he was apprehended first, he had one of those counterfeit Shillings about him, which was produced in Court; and that he owned he had been putting off several others. *Mrs. Culpepper*, who was Servant to the Messenger, to whose Custody he was committed, deposed, That he told her, had he as much Time out as he had within, (being then confined, and having nothing to do) he would stock the Nation with bad Money; but he would make no more Half-Crowns  
and

and Crowns, but Half-Guineas and Guineas. Mr. *Smith* the Constable that apprehended him the second Time, deposed, That when he was taken he had 27 counterfeit Shillings found upon him; and that he enquiring of him, whether he was not afraid of being discovered when he was a coining; he answered, that he used to hang a Blanket up against the Door, and when he had done broke the Moulds. The Prisoner denied the Fact intirely, and said, that the counterfeit Shilling which he had when he was apprehended first, he had took in *Holborn* in Gaming; and the 27 Shillings which was taken upon him when he was apprehended the second Time, he came by as follows: That he having got away from the Messenger, he was going along *St. Paul's Church-Yard*, and there met a Woman, and he had then not one Farthing of Money. She gave him the 27s. to hold, saying she would go and buy a Bun or two, and put off some of it, and in the *Interim* he ran away with it. As to the Information he had given of his Accomplices, he knew nothing of it, for he had drank hard; the Constable, &c. had plied him with Drink and Geneva, that he was Drunk, and put Names to him, and perswaded him that he must of necessity know them, and had led him into injuring innocent People: That the next Morning



Morning he was surprized at what he had done, and was much concern'd in his Mind that he had gone about to take away the Lives of so many innocent Persons. But all these Allegations of his were denied by the Persons on whom he fixed the vile Aspersions; and they being Persons of such Credit on whom they could rely, what he said bore but little Weight with the Jury. The whole of his Demeanour at the Bar bespoke him a hardned and incorrigible Villain; and the Jury were so well satisfied with the Evidence, that they found him guilty of the Indictment, and he received Sentence of Death.



*The* TRYAL, &c. of  
**HENRY CHICKLEY.**

**H**E was indicted *January* the 11th 1718. for assaulting *Charles Brown*, on the King's High-way, and taking from him a Silver Watch value 8*l.* a Pocket-Book value 1*s.* a Bank-Note of 25*l.* the 16th of *July*. The Prosecutor deposed, That as he was going into the *Thatcht-House* in *Ave Mary Lane*, 4 Persons met him in the Alley, one of which run with such a force against him, that he flung him against the

Wall, and then his Watch was taken away. *Obadiah Leman* deposed, That himself, the Prisoner, *Richard Berry* and *Joseph Johnson*, met with the Prosecutor near the Poultry Compter, and there pick'd his Pocket of his Pocket Book and Note of 25 l. That *Chickley* said, the Prosecutor had got a Scout (i. e. a Watch) whereupon they follow'd him to the Thatch-House, and *Chickley* ran against the Gentleman, as he had deposed, and took the Watch. That they afterwards sold the Note for 9 l. to one *Platt*, and the Watch for 3 l. to one *Harding*. The Prisoner deny'd the Fact, and inveighed against *Obadiah Leman*; but he reply'd, that he had charged him with several more Robberies, and particularly said, that himself and the Prisoner had cut a Coach near *Aldgate*, and robbed Mr. *Daniel Butler* of his Wigg; the Jury found him guilty of the Indictment, and he receiv'd Sentence of Death.

After Condemnation, they behav'd themselves with so much impenitency and obduracy, that the Ordinary gives them the Character of Miserable, Hardened Wretches. *John Stone*, said he was 21 Years of age, born in *St. Margarets Westminster*, and at about 12 Years of age, was bound Apprentice to a Vintner at the Ship Tavern in *Princes-street*, near *Licester-Fields*; but his Master and Mistresses both dying, when he

he had serv'd about 4 Years, he went and liv'd at the *Kings-head Tavern* near the *Strand*, and afterwards at the *Tan Tavern* near the *Serand*, and afterwards went to *Hampstead*, in the Summer time, and liv'd sometimes at *Mother-Huffs*, and at other times at another Ale-House, that when he was out of Business he went to his Mother, who maintained him as well as she could; as to his Religion and Morals, he gave but a slender account, only in the general he acknowledged, he had lived a very vicious Life, but would not come to any particulars, and deny'd the Fact he was condemn'd for, and upon the Ordinary's pressing him, he told him peremptorily *he would not tell him whether he had done any thing in it or no.* Both he and *Chickley* behav'd themselves with a great deal of seeming Impenitence, but yet would have had the Ordinary to have Administred the Sacrament to them, which he refused, as thinking them not qualify'd. In all that time they were under Condemnation, neither he nor *Chickley* would own the Crimes they were Condemn'd for, nor any other particulars, nor would be made sensible of their miserable Condition: or be perswad-ed to apply themselves to God, but instead thereof, when at Prayers in the Chappel, they could not forbear playing

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with

with one another, and were ready upon any Call to go out to the Chappel Door to Drink. And the very morning before they were executed, when they were in the Chappel, they did not at all seem affected with their Condition; but while the Ordinary was at Prayers, *Stone* took a Loufe out of his Bosom, and putting it on an open Book, which lay before *Chickley*, says to him, *see how he is galloping over the Prayers.* And when they were come to the fatal Tree, and just going to be turn'd off, *Stone* told the Ordinary, that he should make no Confession to him, or any body else, and *Chickley* said he would tell him nothing; but very much exclaimed against him, because he would not Administer the Sacrament to them.

*Henry Chickley* said he was 21 Years of Age, born in the Parish of *St. Mary* in *Warwick*, where he had liv'd 5 Years with a Tobacconist, and 2 Years to another here in *London*, that he had been 3 Years in the Sea Service, on board the *Roebuck* and *Torbay* Men of War, he own'd he had for the greatest part of his Life, been guilty of Lewdness and Debauchery; but said he had never been guilty of Theft or Robbery, and deny'd the Fact he was Condemn'd for, all that could be got out of him was, that if he had done it, he was Sorry for it. They were executed at *Tyburn* *Janu. 27th 1718.*

*The*



The TRYAL, &c. of  
HENRY WHITEHEAD.

**H**E was indicted at the *Old Baily*, the 10th of *January* 1718. for a Misdemeanor, That he being a Person ill affected to his Majesty and Government, endeavouring to seduce Persons from Allegiance to his Majesty, did say King *George* was an Usurper. The Evidence for the King deposed, As follows: *Thomas Biddle* deposed, That the Prisoner having been a Lodger in his House, owed him some Money, and having given a Note, came to pay him the Money, but did not pay him all: That then they fell into Discourse about publick Affairs; the Prisoner spake very slightly of the King's Title and Government, and that he thereupon replied, *You Clergymen pray for King George*; that the Prisoner replied, he used indeed the Expressions, *ye shall pray*, and added, *King George is an Usurper*. *Ebenezer Tull* deposed, That *Thomas Biddle* having complained to him that the Prisoner owed him Money, and that he could not get it of him: he told him, that, if he pleased, he would get it of him, and it should not cost him a Farthing: To which he consented. Whereupon he wrote a Letter to

the Prisoner, and sent it to him to *Newington* about it. Upon which he came to him, and was very full of Reflections upon Mr. *Biddle*, and took some notice of Mr. *Biddle's* charging him with the Expressions mentioned in the Indictment, and owned that he did say, That if the Pretender, as he was called, was King *James's* Son, and was not a Bastard, then King *George* was an Usurper: To which he replied, That if he persisted in such Talk it might perchance lead him into ill Conveniencies. The Prisoner answered, He did say so, and should say so as long as he breathed: To which he replied, That if he did, perhaps he might not breath long. But however his Business with him was not in relation to any thing of that Nature, but that he would pay *Biddle* his Money. That they then parted. And some Time after he went to *Biddle*, and demanded the Note, which was 30 s. and taking the Note, laid him down 30 s. and tore the Note. Upon this Mr. *Biddle* came to him again, and complained of the tearing the Note. That thereupon they went up to Justice *Hill*, and got a Warrant to take him up for tearing the Note, and went to him to go to Mr. *Biddle* and make it up. But he not going but keeping out of the way; and meeting accidentally with him at the *Castle-Inn* in *Wood-street*, got him apprehended.

hended. In some Discourse he remembered him of the Words he had said. To which he replied, That if the Pretender, so called, was not a Bastard, both Queen *Ann* and King *George* were Usurpers. This was confirmed by the Constable. And he being apprehended, and carried before Sir *John Fryer*, only on Account of tearing the Note. The Master being composed as to that, he enquired of the Persons if they would prosecute him upon those Expressions; but they declining it, he was discharged. But Sir *John* considering afterwards that such Expressions were of ill Consequence to be tolerated, sends for him again, and binds the Evidence to prosecute. The Prisoner, in his Defence, recriminated upon *Biddle*, saying, that he was enquiring of him what News: He answered, All you Jacobite Rogues are spoiled now, and the Bastard the Pretender was fled beyond the *Alps*. That thereupon he replied, It was well if the Pretender was a Bastard, or else King *George* was an Usurper. He likewise objected against the manner of his Commitment, in that Sir *John Fryer*, when he had been carried before him on the Account of the Note only, and the Matter being agreed, and he discharged, and the other Persons, as Mr. *Biddle* and Mr. *Tull*, had declined prosecuting him on the Account of these Ex-

pressions,

preffions, that Sir John should send for him again, and oblige them to prosecute him. As to that he was answered by the Court, (in Sir John Fryer's hearing, he being on the Bench) that their Opinion did differ from his in that Matter; for they thought he had done very well, and but what was his Duty to do, for as much as the tolerating Persons to talk after that seditious Manner would be of very pernicious Consequence: And that King George's Title to the Crown did not depend upon the Pretender's being a Bastard, (for that he had a very good and legal Title to it, whether the Pretender was the Son of King James, or not. Being asked if he would call any Evidences, he called three Persons, one of which had known him six Weeks, another six Months, and another a Year, which indeed did not say much to the purpose. One said he had heard and known him pray for the King (as he thought) another had known him drink the King's Health: But this had little avail, the Jury thought the Fact plain enough to find him guilty of the Indictment, and the Court impos'd on him a fine of 20 Marks, and 6 Months Imprisonment.





The T R Y A L, &c. of  
**ABIGAL NEWSTEAD.**

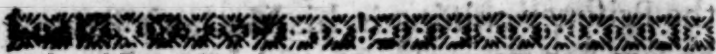
**S**HE was indicted at the *Old Baily*, the 10th of *January* 1718. for High Treason for counterfeiting the Coin of this Kingdom, in counterfeiting, forging and coining of 40 Pieces of Copper, Tin, and other base Metal, in the Likeness and Similitude of Half Crowns, and 40 other Pieces in the Likeness of Shillings, the currant Coin of the Kingdom, the 2d of *November*, The Council for the King opened the Cause, setting forth the destructive and pernicious Consequences of such Practices; and that in order to detect and prevent them, the Lord *Sunderland* having in *October*, an Information laid before him against 12 or 14 Persons, he sent an Order or Warrant to Captain *Mills* High-Constable of *Holbourn*, by whose Diligence many of them had been apprehended, and now were to be brought to Justice. The first Evidence against the Prisoner was *William Faulkner*, who deposed, That he and the Prisoner had several Times coined Money together, that about two Years and a half ago, they had coined at one Time 15*l.* and that the last time was in her Mother's Room in *Tyburn Road*, about the

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middle of *June*, when they coined about 20*l*. That they used a House in *Clare-Market*, one ~~Parson's~~, who used to deliver it out to others to put it off, selling the Shillings at two Pence per Piece, and the half Crowns for five Pence per Piece. *Mary Kimberly* (a Girl of 14 Years of Age) deposed, That the Prisoner had used to come to her Mother's Room at the *Bear and Black Jack*, in *Dist-street* near *St. Giles's* and did there Coin Money; and particularly in *May*, that she went into a Closet, and took Plaster of Pallace and mixing it with Water made it like Paste; then made it into two square Pieces in the Form of a Mould, and then made a Gutter in them; and putting a Shilling into it, tied the two Parts together with a String; and laid them at the Fire to dry, that she then gave her a Shilling to go to the Pewterers to fetch Tin, &c. and put it into a Sauce-pan and melted it, poured it into the Mould and took it out, laying the coined Money as she took it out of the Mould down on the Hearth, and in that manner she at that Time coined 15*s*. That afterwards she took a pair of Scissors and cut off the jagged Pieces round the Edge, and afterwards filed it with a File to make the graining, then boiled it in a Pot of Water and Ashes, and sent her to beg a little Salt, and then scoured it with Sand and Salt, and last of all

all took her Clogs, and rubbed the Money thereon to dull it, by dirting it, and then her Mother and the Prisoner went out together (as she supposed) to put it off, and came in no more that Night. *William Kimberly* (a Lad of about 16 Years of Age) deposed, That he being a Bed in the Garret in *May* last, coming down Stairs saw the Prisoner coining in his Mother's Room, he saw her pour the Mettal into a Mould, like what Boys use to cast Chuckers in, and take the Money out. *Mary Wilson* deposed, That she lodged in the Ground Room of the same House, with the Prisoners Mother in *Tyburn Road*, and going up to their Room one Morning to light some Small-coal, saw a great deal of counterfeit Money lying there, and some over the Fire boiling in Water and Ashes; at which she was much surprized, and two or three Days after, taking an Opportunity to ask her why she would be concerned in such ill and dangerous Practices, she made very light of it; saying, she would venture her Life to serve her Friend. *Catharine Mackoon* deposed, That she had several Times had counterfeit Money of her, 20 half Crowns at one Time at 5d. per Piece, at the *Jack a Dandy* in *Drury-Lane*, and 3l. at another Time. The Prisoner deny'd the Fact, and that she had ever been privately in *Faulkner's Company* this three Years.

Years. She likewise deny'd, ever having been at *Kimberley's* House; and urged, that the Evidences swore against her falsely, to take away her Life for the Lucre of the Reward. Upon the hearing the Evidences, the Jury found her guilty of the Indictment, and she received Sentence of Death, but was afterwards transported.



*The TRYAL, &c. of*  
**MART BETTS.**

**S**HE was indicted at the *Old Baily*, the 10th of *January*, 1718. for privately stealing 5 Guineas and a half from the Person of *Samuel Abthorp*, The Prosecutor deposed, That he meeting with a Friend, went to drink a Pint of Wine at the *Crown-Tavern* in *Katharine-street*, and having been shown a Room, the Prisoner came in, sitting down with that Assurance, that he took her for the Mistress of the House: That there being no Fire in that Room, she told them there was a Fire above in the Chamber: Upon which they went up; and that the Prisoner was so familiar to come to them there; that they drank and called for some Mutton Chops that the Prisoner asked him to go into another Room, and



and there his Pocket was pickt of 6 Guineas and a half; that he feeling in his Pocket, and finding himself robb'd, charg'd her with his Money, and she denying it, he went for a Constable, leaving his Friend with her in the Room; and that when he came back with the Constable, and demanded his Gold: She said she had none; but at last own'd she had a King George's Guinea, and no more; but searching her, they found 2 Guineas in her Bosom, besides i she took into her Hand, a Guinea and an half more in her Pocket, and 2 more in her Stocking. The Prosecutors Friend deposed, That he perceived her to place something in several places as she walked to and fro in the Room, and directed them to search the places, where they found them. The Prisoner pleaded in her Defence, that she went to the Tavern to see a Person that came from her Father in the Country, and coming down Stairs, they invited her to go back with them, telling her she should drink a Quart of Wine with them, which she refused, till by their Urgency, and pushing her up Stairs, and giving her inducing Language, she did; that being there with the Prosecutor and his Friend, one held her, and the other attempted to lye with her, which she would by no means permit; that then the Prosecutor called the Drawer, and bid him

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him bring some Oil, and some Feathers, with a large Pewter-Dish, and Six-pennyworth of Whipcord. Upon which she reply'd, she did not know what he meant: That then he told her, she must either flog him, or he would do *so and so*. To which she reply'd, she had heard of Flogging, but never of doing *so and so*. That then she would have come away, but he would not let her go till she had paid her share of the Reckoning, which she refusing, he tax'd her with picking his Pocket. That as for the 6 Guineas and a half, she had received them that Day of her Husband, who appear'd in Court. And deposed, That he did give her 6 Guineas and a half that Day, he having received 7*l.* 12*s.* and 4*d.* of a Person for whom he had made half a Dozen of silver Spoons and Forks. A Person deposed, In Court, that he had that Day paid him that Sum of Money. Upon the whole the Jury found her guilty of the Indictment, and she received Sentence of Death, but pleaded her Belly, and being brought in Quick with Child, was afterwards Transported.



The TRYAL, &c. of  
Robert Tipping and Thomas  
Peacock Mariners.

They were indicted, at the *Old Baily*, the 1st of *April*, 1718. for that they, on the 30th of *November*, in the Year 1715. on the *High-Seas*, at a Place called *Bona Vista*, in the *Dominions of Portugal*, being on Board a Merchant's Ship called the *Anglesea*, whereof *Samuel Randal* was Master, made a Revolt in the Ship, and the said *Samuel* did Assault and Confine for two Hours, to the evil Example of others.

The Counsel for the King opened the Cause, setting forth, That the Indictment was grounded on an Act of Parliament made in the Twelfth Year of King *William*, which was again renewed in the First Year of his present Majesty; whereby it is enacted, That whoever, on Board a Ship on the *High-Sea*, shall Assault the Master, and make a Mutiny in the Ship, shall be deemed Guilty of Piracy; and that the Prisoners, being on Board a Merchant's Ship called the *Anglesea*, whereof *Samuel Randal* was Master, bound for *Guinea* and the *West-Indies*, did, on the 30th of *November*, 1715. on the *High-Sea*, near a Place called *Bona Vista*, concert Measures

to

to sieze on the Master of the Ship *Anglesea*, and Cargo, and to go a Pirating in the said Ship, she being thought fit for their Purpose, having before been a Ship of War, and did first sieze on the Master by Force and Arms, making him Prisoner in his Cabin, keeping him so for two Hours, and afterwards set the Master and Mate on Shore on an uninhabited Island near *Bona Vista*, one of the *Cape de Verd* Islands, not allowing them any Provisions to subsist upon: That having then sailed away to the Isle of *May*, where being several *English* Ships, and the Matter being discovered, and some Boats sent out in pursuit of them, they cut the Cable of the Ship *Anglesea*, and sailed away to the Island of *Fuego* a Cruising, where the Ship was taken by a *French* Ship, who sent them to *Brazil*, and afterwards to *England*, and supported their Charge by the following Evidences.

*John Clark* deposed, That he was shipped on Board the Ship *Anglesea*, at *Montserrat*, the *August* before; and that being at a Place called *Bona Vista*, one of the *Cape de Verd* Islands, about the latter end of *October*, it being about seven or eight a-Clock at Night, being asleep forwards in the Ship, was awaked by the Discharge of a Blunderbuss; and that going to the Steerage Door, *Thomas Peacock* stood Centry there, with a Curtelass in his Hand;  
and



and pointing it at his Breast, threatned him, that if he offered to come any farther, he would run him through; that thereupon he retired; that the Captain was then in the Cabin; but what was done there he knew not, he not being permitted to go in thither: And some small time after the Captain, *Samuel Randal*, came out of the Cabin, weeping and wringing his Hands; That he thereupon ask'd him, *What was the Matter? What the Occasion of his Grief?* To which he answer'd, That *they were turning him out of his Ship.* That a little after several of them (Five or Six) guarded him to the Boat, armed with Curtelasses, among whom were the Prisoners: That they put him into the Boat, and carried him to an Island uninhabited, about a League distant from the main Island *Bona Vista*: That the Captain, when in the Boat, begged heartily for Christ's-sake, That they would let him have some of his Wine and Rum along with him for his Support; and that *Robert Tipping* cursed and swore at him, telling him, He *should have none of it; and if he did not put off the Boat presently, he would fire upon him;* and *James Edwards* was the most barbarous Man to the Captain of all the Ship's Crew.

*Court.* Who was it that turn'd the Master out of the Ship?

*Clark.*

*Clark.* All the Ship's Crew, except Mr. Turner the Mate.

*Court.* Did they force him to go out of the Ship?

*Clark.* Yes, They forced him; there were five or six of them to guard him to the Boat, and they forced him into it; and would not permit him to stay after he was in the Boat above five or six Minutes.

*Council.* Was not *Peacock* second Mate of the *Anglesea*?

*Clark.* Yes. He was shipp'd Mate at *Antegoa*, but the Master had turned him out; and he had huffed Captain *Randal*, and told him, He was a better Man than he.

*Frazier.* We being at *Bona Vista*, I was asleep in the Steerage, and was wak'd by the Report of a Blunderbus; and there being a Light in the Cabin, I saw *Peacock* in the Steerage with a Curtclafs in his Hand, and *Robert Tipping* upon the Yarnings with a Curtelafs in his Hand, and *James Edwards* with a Pistol in one Hand, and a Curtelafs in the other; and I was order'd to get the Boat ready, and the Captain was forc'd into the Boat, and set on Shore on an uninhabited Island near *Bona Vista*.

*Court.* *Robert Tipping*, What have you to say for your self?

*Tipping.* I was shipp'd at *Antegoa*, to go to *Montserrat*, and from *Montserrat* to *Guinea*: We staid about five Weeks at *Madera*,

dera, and then we sailed, and put into the Island of, of—the Devil—*Bona Vista*. The Captain had made away a great deal of the Ships Cargo. The Captain and Chief-Mate quarrell'd, and made at one another with Curtelasses; and the Captain went on Shore, and brought several Portuguese on Board with him, and then went away again: And *Rosse* told Captain *Randal*, He had made away with the Ship's Cargo. I must confess that Mr. *Randal* was barbarously used, but I had no Hand in it. Captain *Randal* desired me to stand by him; I told him, I would, to the last drop of my Blood. He bid me go into the Steerage, and take Alms; and I did, took a Musket. He bid me go and sink the Boat; I went, and found the Boat hal'd up on the Larboard-side, and a Man in it, and so I did not dare to fire into it. The Captain told me, The Men were going to carry him away from the Ship, on Shore; and desired me to get him some Rum. There was a twenty five Gallon Cask below, and while I was getting it, *Humphry Broom* told me, That if I brought anything out, he would kill me. I answer'd, I had a twenty five Gallon Cask of my own, sure I might do what I would with that; and when I came up the Captain was gone. The next Morning we set sail, and came to the Island of *May*, where there were several English Ships: There *John Williams*, *James Edwards*,

*Edwards*, and—*Roffe*, went on Board the *Hayes* Galley, and I gave Notice of the Captain's Treatment, and the Ships, that were there, fired upon us, and sent out Boats after us; and *Humphry Broom* cut the Cable, hoisted the Jib and the Mainfail, and work'd the Ship himself, and made off, and sailed away to the Island of *Fuego*, and I refus'd to Man the Ship, or do any thing but my own Business, being the Cooper. *Broom* called me *Rogue* and *Son of a Bitch*, and said, *I had betray'd them*, I told him, *I had a Wife and Children in England, and I would not do an ill thing*. *Broom* threatned to *Murther me*, and gave me this great Cut on my Head. I jump'd over-board to get away, and there were fifteen or twenty Sharks swimming after me, and one of them turned and snapp'd at me. I saw a Sloop, and told them of the Captain's Misfortune, and desired them to secure the *Anglesea*; and the *Anglesea* was taken by a French Ship bound from *Martineco*, and all the Men taken out of her, except *Frazier*, and we were carried to *Fiana* in *Brazil*, and put into Prison, and I was try'd for my Life: From thence we were carried to *Guinea*, and thence to *New-York*, and so to *England*.

Court. Mr. *Clark*, Did *Tipping* jump over-board.

*Clark*. Yes.

Court.



*Court.* What was his Reason?

*Clark.* Our Ship was a strange sort of a Ship; it was neither Bark, Boat, Sloop, Brigantine, nor Hermaphrodite, and they would not let us come into the Harbour; and they came in Canoes towards us about half a Mile.

*Court.* Was *Tipping* wounded by *Broom*?

*Clark.* I know nothing of that.

*Court.* Mr. *Tipping*, Why did you not leap over-board at the Isle of *May*, and make your Escape, where were several English Ships you might have gone on Board of?

*Tipping.* I was the first that betray'd them.

*Court.* When you was near the English Ships at the Isle of *May*, Why did not you get away then?

*Tipping.* When we were there, the Ship *Angelsea* was forced out of the Road in an Hour's time.

*Counsel.* How long did you continue at the Isle of *May*?

*Frazier.* About four or five Hours.

*Counsel.* Who made the Discovery?

*Prisoner.* I made it.

*Counsel.* Who did you make it to?

*Prisoner.* To the *Hayes* Galley; they came on Board us.

*Counsel.* Who was it made the Discovery, *Frazier*?

*Frazier.*

*Frazier.* He made no Discovery at all; it was a *Frenchman*, a Passenger, that made the Discovery to some of the Men belonging to the *Hayes Galley*, and so *Edwards*, *Williams*, and *Roffe*, were detain'd on Board the *Hayes Galley*.

*Court.* Could the Prisoner have gone away in any Boat at the Isle of *May*?

*Frazier.* Yes; in half a dozen if he would; there were six Ships there, all of them *Sir William Phippard's* Ships.

*Court.* *Peacock*, Why did not you go on Board the *Hayes Galley*?

*Peacock.* I could not.

*Court.* Was *Peacock* among the rest, when Captain *Randal* was forced out of the Ship?

*Frazier.* Yes, he was by with his Curte-lafs, when the Captain was going over the Shipside.

*Peacock.* I was ordered by the Captain to take Arms.

*Court.* What have you more to say for your self, *Peacock*?

*Peacock.* I refer to my Information taken at *Doctor's-Commons*; that is all I have to say?

*The Examination of Thomas Peacock, of Hull in the County of York, Mariner, aged Thirty Years; taken the 12th of Jan. 1716.*

‘ **T** H A T in July 1715, this Exami-  
‘ nant at *Antegoa* was shipp'd by  
‘ Mr. *Allen*, one of the Owners of the Ship  
‘ *Anglesea*

' *Anglesea* (whereof *Samuel Randal* was Ma-  
 ' ster) to serve on Board the said Ship as  
 ' second Mate, on a Voyage to *Guinea*;  
 ' and the said Ship proceeded to *St. Nico-*  
 ' *las*, and there the said Master took in a  
 ' *Frenchman*, and proceeded from thence  
 ' to *Bona Vista*, and arrived there in No-  
 ' vember, 1715, and there *John Roffe* the  
 ' chief Mate, *Humphry Broom*, *James Ed-*  
 ' *wards*, and *John Williams*, three of the  
 ' Foremast-men, forc'd the Master to go  
 ' into the Boat, and he was therein carried  
 ' away; and when they forc'd him to go  
 ' out of the Ship, he wept, and begged  
 ' that they would give him a Bottle or two  
 ' of Wine, but they refused to give him  
 ' any; and *James Turner* went away with  
 ' him in the Boat, and then the said *John*  
 ' *Roffe* took upon him the Command of the  
 ' Ship, and made the said *Humphry Broom*  
 ' his Mate, and carried the Ship to the  
 ' Isle of *May*, and there the said *Roffe*  
 ' *Williams*, and *Edwards* went on Board an  
 ' *English Ship*, and were there detained;  
 ' and then the said Ship, and other Ships  
 ' lying there, fired upon the *Anglesea*, and  
 ' thereupon the said *Broom* cut her Cable,  
 ' and carried her to *Fuego*, and bought  
 ' some Provisions, and designed to return  
 ' to the Isle of *May*; and in their way  
 ' thither they were taken by a *French*  
 ' Ketch, and carried to *Cayenne* upon the  
 ' Coast

' Coast of *Brazil*, and were there impri-  
 ' soned near five Months, and from thence  
 ' carried in a *French Ship* to *Martinego*,  
 ' where *Oliver Oliverfon* being Sick, was  
 ' left in the Hospital, and the Examinant,  
 ' and the rest of the Company were put  
 ' there on Board the *Valeur Man of War*,  
 ' and brought therein to *England*, except  
 ' the said *Humphry Broom*, who made his  
 ' Escape from the said Man of War at  
 ' *New-York*. And farther saith, That it  
 ' was but three or four Days, from the  
 ' time that the Master was carried on  
 ' Shore, to the time when they were taken  
 ' by the said *French Ketch*.

*Thomas Peacock.*

*Court.* Have you any thing more to say ?

*Prisoner.* No.

*Court.* Have you any thing more to say,  
*Tipping ?*

*Tipping.* I wish Captain *Randal* were here,  
 he would be an Evidence for me.

*Court.* Have you any Witnesses ?

*Tipping.* I have Witnesses to my Reputation.

Several were called, who gave him a  
 Character ; that he was an honest and or-  
 derly Man as far as they knew of him.

*Court.* There is nothing to be said against  
 your Character in the general ; but the Que-  
 stion is, Whether you are Guilty of the Fact  
 sworn against you, or not.

The



The Jury having consider'd the Matter, found them both Guilty.

*James Edwards*, Mariner, was indicted, for that he, and *John Williams* not yet taken, on the 30th of *November*, in the second Year of his Majesty's Reign, upon the High-Seas, near *Bona Vista*, in the Dominions of *Portugal*, being on Board a Merchant's Ship belonging to the Subjects of *Great-Britain*, called the *Anglesea*, whereof *Samuel Randal* was Master, did endeavour to make, and did procure, cause, and make Revolt in the said Ship, and there, by Force of Arms, the said *Samuel Randal*, the Master, did Assault, and Confine, and Imprison, for the Space of two Hours.

*John Clark*. Deposed, As we were sailing between the Island of *Palmo* and *Bona Vista*, we had lower'd the Main-sail to Jib, and the Captain was standing on the Yarnings, and *James Edwards* was standing still, and the Captain said to *Edwards*, *Why will you see the Men ball and tug, ready to tug their Arms off, and not bear a Hand?* At which *James Edwards* fell to swearing, and cursing the Captain, and told him, *He should not be Captain of that Ship long, but they should have a Captain that would be a Man;* upon which I rebuk'd him asking, *How he could treat the Captain so rudely?* Upon which he reply'd, *That I should not keep my Post long, I should soon go to the Devil.*

*Counsel.* What was done at *Bona Vista*?

*Clark.* When we were at *Bona Vista*, the Men revolted against the Captain, forc'd him out of the Ship, and set him on Shore on an Island uninhabited, and the next Morning sail'd a way to the Isle of *May*.

*Counsel.* Did you see *James Edwards* with the rest that forced the Captain out of the Ship?

*Clark.* Yes. He was standing at the Ship-side, with a Pistol in one Hand, and a Curtelass in the other, and he forc'd Captain *Randal* into the Boat.

*Counsel.* Mr. *Frazier*, Give the Court an Account of what you know in relation to the Prisoner's assaulting and forcing Captain *Randal* out of his Ship.

*Frazier.* I was in the Steerage, and saw *Edwards* there; he told Captain *Randal*, That he should not stay long there, and forc'd him out, and would not let him stay to put his Cloaths on, telling him he had no Business there, saying, They would have a Commander who was a Man and not a Fool; and, that he had a Curtelass in one Hand, and a Pistol in the other, and forc'd him into the Boat; and Mr. *Turner*, the Mate, desired to go along with the Captain, and share his Fate; and he did so. The Captain desired that they would put him on Shore upon the main Island, lest he should perish: But the Prisoner told him, You  
are

*are not Commander now, and you shall go where I please.*

*Court.* How far was the Island that the Captain was set ashore upon from *Bona Vista*.

*Frazier.* About a League. I would have had them put the Captain upon the main Island, but they would not; and *Roffe* and *Peacock* said, *He might wade over thither at Low-Water.*

*Prisoner.* It is as false as God is true: The Witnesses said, They would not have sworn against me, but for fear I should against them.

*Court.* Who did they say to?

*Prisoner.* To my self.

*Court.* Have you any Witnesses of that?

*Prisoner.* No Body but my self. I went to them several times while they were in Prison, and I surrender'd myself voluntary.

*Court.* Did he so?

*Counsel.* Yes, He did.

*Prisoner.* I went in Captain *Lusam's* Long-boat from the Isle of *May*, to fetch Captain *Randal* from the Island to Captain *Lusam's* Ship; I work'd there for my Passage, when I came home. I was in *Exeter* Goal, and tryed at the Affizes, and acquitted by the Court there.

*Court.* Was he tryed and acquitted.

*Counsel.* Yes my Lord; but it was before the Lords of the Admiralty knew any

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thing of the Matter, and so there was no Prosecution.

*Prisoner.* I refer to my Information,

The Examination of *James Edwards*, of the Parish of *St. Sepulchres*, London, Mariner, aged Thirty Eight Years, taken the 26th Day of *February*, 1717.


**T**HIS Examinant saith, That he hath used the Seas for Twenty Years last past; and in or about the Month of August 1715, he, the Examinant, was shipp'd at Monserat by Mr. Andrew Allen, a Merchant there, one of the Owners of the Ship *Anglesea*, to serve as a Foremast-man on Board the said Ship, whereof Samuel Randal was Master, from Montserrat to Guinea, and from thence to England, or back to the West-Indies. And farther saith, That the said Ship being at Bona Vista, within the Dominions of Portugal, all the Company, except James Turner the Mate, mutinied against the Master, and forced him to go out of the Ship; and he, the Examinant, together with John Williams Andrew Frazier, and Oliver Oliverfon, carried the Master, and the said James Turner, from the Ship in her Boat, and set them upon a Rock or small Island which was uninhabited, and was near a large inhabited Island, about a Mile from the Place where the Ship then lay, and then they, the Examinant, and the



the said John Williams, Andrew Frazier, and Oliver Oliverfon, return'd with the said Boat to the Ship, and the next Morning carried her to the Isle of May, where John Roffe the chief Mate, and the said John Williams, and he the Examinant, went on Board the Hayes Galley, where were five or six English Commanders; and he, the Examinant, informed them what had happen'd on Board the Anglesea; and they thereupon detained the said Roffe, Williams, and him the Examinant, and caused the Boats belonging to their Ships to be mann'd, in order to take the said Ship Anglesea; and he, the Examinant, went in one of the said Boats, and the Ships in the Harbour fired at the Anglesea, and then the Men on Board her cut her Cable, and carried her away, and he, the Examinant, then returned on Board the Hayes Galley, and the Examinant had his Liberty, but the said Roffe and Williams were closely confin'd; and saith, That the Hayes Galley chased the Anglesea from eight in the Evening, till four the next Morning, and then the Moon setting, and her Sails being lowered, the Hayes Galley lost sight of her; and he, the Examinant, continued to work in assisting to lade Ships at the Isle of May, about ten Weeks, and then came from thence to England, in the Ship Joseph (Alexander Hodge, Master) and the aforesaid Roffe and Williams came in the same Vessel with the Examinant, (he, the said Roffe, being

confin'd as a Prisoner) but the said Williams, and the Examinant, were to work for their Passage: And saith, that the Mayor of Dartmouth sent them all three to Exeter Gaol, where the said Roffe dy'd in July 1716. And at the Assize at Exeter, in the said Year 1716 he, the Examinant, and the said Williams were discharged by the Judges, and have had their Liberty ever since that time: And farther saith, That about twelve or one of the Clock of the same Day whereon the Hayes Galley had chased the Anglesea (to wit) as soon as they returned from the said Chace, he, the Examinant, together with the Mate, and several others of the Hayes Galley, went in her Boat to the large Island near the Rock or small Island before-mentioned, where the aforesaid Captain Randal and James Turner had been put on Shore, and there found them at the House of the Governor of the said Island, and carried them on Board the Hayes Galley; and the said James Turner there shipp'd himself on Board the Happy of Plymouth for Barbadoes, and the said Captain Randal came in the aforesaid Ship the Joseph to St. Jago, and was there informed that the Anglesea was taken by a French Vessel, and carried to Bravo, one of the Cape de Verd Islands, and that all the rest of his Men were Prisoners in Bravo Castle; and thereupon he went on Board a Sloop bound thither, in order to take care of the said

said Ship, and to send the Men to England.

The Mark of  
James  Edwards.

The Prisoner called some Witnesses to his Reputation. Then the Court having summ'd up the Evidence, the Jury went out and having considered the Matter, found them all Three Guilty, and they received Sentence of Death.

Robert Tipping and James Edwards were Pardon'd, and Thomas Peacock was Executed.

The Account Mr. Lorrain gives of him is as follows, that he was 31 Years of Age, born in a Country Village of Trinity Parish within 15 Miles of Hull, in the County of York, that he had us'd the Sea ever since he was 10 or 12 Years of Age, and had serv'd for some time on board the *Newcastle* and new Deal, 2 Men of War, but for the most Part had been employ'd in Merchant Men, and in all those Services behav'd himself unblameably, saving in the Fact he then stood Condemn'd for, he express'd a Sorrow that he had not as he should have done, made use of some great Mercies he had been favour'd with, having been deliver'd in 4 Shipwrecks on the Coasts of Holland, and from many other eminent Dangers, in which the Vows he had made  
he

224 *The Tryal, &c. of*

he had not taken care duly to perform, which he said he then repented of, and did think was the Cause he was so easily drawn in to the Commission of the Fact he was then to Die for, and of which he was so sensible as to say, That if God were not more merciful to him, than he had been to his Fellow Creatures, he should unavoidably Perish, but that it was the first Criminal Fact he had been guilty of, to which the severity of the Captain had prompted him, but as he heartily repented of that, and all other his Sins, and begg'd Pardon both of God and them he had offended, so he hoped to find Mercy with God, and obtain Eternal Life through the Merits of Jesus Christ. At the Place of Execution he desir'd the Standers by to take Warning by him and Pray for him. He was Executed at *Execution-Dock*, April 25, 1718.



*The T R Y A L, &c. of*  
Edward Williams, Eliz. Williams, Eliz. Simmerton, Eliz. Shepherd, and Mary Roberts.

**T**hey were indicted at the *Old Baily*, the 23d. of *April*, 1718. upon two Indictments, the first for the Murther of Mr.



Mr. *Peter-Antony Motteux* on the 18th Day of *February*, The second for robbing him of 8 Guineas. The Council for the King opened the Indictment, setting forth that Murther was a Crime of that heinous nature, that it was almost beyond the Power of words to aggravate it; and so diffusive, that if Justice were not executed on the Offenders the Guilt became National. Adding, that as to the Characters of the Prisoners it did appear to be as followeth; that *Elizabeth Simmerton*, the Mistress of the House where the Deceas'd unfortunately lost his Life, was a Person of very ill Fame, who had for many Years kept a scandalous House, and at that time liv'd in *Star-Court* in the *Butcher-Row*, near *Temple-Bar*; that *Elizabeth Shepherd* was her Daughter by a former Husband, who still continued with her as a Retainer or Plyer; that *Mary Roberts* and *Elizabeth Williams* did appear to be Plyers to the same House; and *Edward Williams* and *Percival Hutchinson* Bullies to it. That *Mary Roberts* was the Person who conducted Mr. *Motteux* to the said House, and was soon after found Murther'd. That indeed they had no Evidences that were Eye-witnesses of the Murther, but as in Clandestine Murthers such Evidences were hard to be obtained, it was indispensably necessary to give Judgment by presumptive Evidences.

That there were many Circumstances that made strongly against all the Prisoners, as they would shew by the following Evidences. The first Evidence call'd was *Mary Dowty*, who depos'd, That she living Just by Mr. *Motteux*, did about 5 of the Clock in the Afternoon the 18th Day of *February* see a Lady in a Coach at Mr. *Motteux's* Door and *Madam Motteux* with her, and also Mr. *Motteux* standing at his own Door in a Dark colour'd Cloth Coat, that he seem'd to be very well, look'd very brisk, and was counting some Pieces of Money, telling them out of one Hand into the other, that they look'd yellow, and she did believe them to be Guineas, that she did not indeed know the number, but there was a pretty many, and as she thought 20 or more. Her Evidence was confirmed by *Mary Brown*, who said there was a pretty many, and she did believe that there could not be less than 30, and that Mr. *Motteux* put them into his Pocket. Mr. *Peter Motteux* depos'd, that his Father had on such a Coat as the other Evidences had describ'd, lin'd with an Orange-colour'd Mantua Silk, and that between 5 or 6 a-Clock he went out in order to go to *White's Chocolate-house* to procure some Ball Tickets for a Lady of Quality. Mr. *Serjeant* depos'd, That between 5 and 6 Mr. *Motteux* standing at his own Door, told him he was going to the  
other

other end of the Town, and desir'd him to go with him: That Mr. *Motteux* put on his Scarlet Cloak and they went together as far as the *Royal-Exchange*, and that he having some business there, just as the Clock struck 7 they parted, and Mr. *Motteux* went forward. Mr. *Arthur* depos'd, That Mr. *Motteux* came to *White's Chocolate-House* at St. James's about 9 a Clock that Night, that he staid till about half an hour past 10 that he there eat a Couple of Glasses of Jelly, and would have had a Guinea chang'd, saying he had not more than 2 Shillings in Silver about him, that while he was there a Coachman came in and enquir'd, for the Gentleman that came in, in the Scarlet Cloak, that soon after he went away, that he was told by some Chairmen at the Door that there was a Woman waiting in the Coach, but he did not see her. Mrs. *Stanley*, of the *Red-Lyon-Ale-House* near *White's Chocolate-House* depos'd, That a Coachman came into her House that Night, call'd for a pint of Drink, said he waited for a Gentleman in a Scarlet Cloak, who was gone into *White's*; that the Coach staid near two Hours, that there was a full Pot of Beer call'd for to the Coach, but was afterwards return'd, and a quartern of Brandy carry'd instead of it. *William Gibs* depos'd, That he carried a quartern of Brandy to the Coach to a Gentleman

tleman in a Scarlet Cloak, and a Woman, that they Drank the Brandy, paid for it, and the Coach drove away. *Mrs. Edwards* a seller of Oyfters near *Star-Court* depos'd, That a Coach pass'd by her between 10 and 11 of the Clock, which stopp'd at the end of *Star-Court*, that there was a Gentleman in the Coach with a Scarlet Cloak, and a Woman talking, laughing, and laying out her hands very briskly, and that she told *Mary Dent* there was a Gentleman and his Miss gone to *Star-Court*, and that she afterwards heard the Coachman call'd for. *Mary Dent* depos'd, That she having heard *Mrs. Edwards* say that a Gentleman, and his Miss were gone to *Star-Court*, she knowing *Simmerton's* House to be a House of ill Report, observ'd and saw a Gentleman in a Scarlet Cloak hand a Woman out of the Coach, that her Petticoat hitch'd in the Coach as she came out, and the Coachman clear'd it, that being out of the Coach she gave the Gentleman a clap of the Shoulder, turn'd him about, and bid him walk up the Court, which he did, and she followed him; that there were no other Persons there but the Gentleman, Woman and Coachman; that the Gentleman walk'd very well, and did not seem to ail any thing. *Mary Brimmer* depos'd, That she being a Servant to *Mrs. Merrick*, living at the next Door to *Mrs. Simmerton*, went out at about a 11 a Clock to wash a Pot, and



and looking into *Simmerton's* House, saw a Gentleman in a red Cloak and Sword, standing with his Face towards the Fire and a Woman facing him, that he stooped down and kissed her, that the Woman was *Mary Roberts*; that then *Elizabeth Shepherd* did light a Candle and lighted the Gentleman up Stairs and *Mary Roberts* followed him up; that *Elizabeth Shepherd* came to the Door and paid the Coachman 3 Shillings, that Mrs. *Simmerton* said it was too much; but *Elizabeth Shepherd* cry'd Phoo', its no matter. Mrs. *Merrick* depos'd, That her Maid came in and told her what she related in Court, to which she replied if it were so they would make a fine Penny of the Gentleman.

*Thomas White*, the Coachman that carried them, was called, and being examined by the Court what he knew of carrying a Gentleman in a Scarlet Cloak, and a Woman from *St. Clement's-Church* to *White's* Chocolate-House, and waiting there near 2 Hours, and bringing them back to *Star-Court* at about a 11 a Clock at Night, the 18th of *February*. He pretended to be so forgetful as to know or Remember nothing at all of the Matter, and to be intirely ignorant of every particular Circumstance; nay, was sure he never carried such a Gentleman. But his Master *Richard Taylor* depos'd, That he having staid out that Night longer than ordinary, he requiring him to  
come

come home always by 10 of the Clock; and being angry with him for staying out, he told him he had carried a Gentleman in a Scarlet Cloak, and a Woman too, and waited at *White's Chocolate-House*, and drove them back and set them down at *Star-Court*, and that the Gentleman went up the Court, and could not get any more than a Shilling, and that an old Bawd came out of the House and gave it him. Mrs. *Taylor* she also depos'd, That *Thomas White* when he was examined why he staid out so late, answer'd as before, that he had carried a Gentleman, &c. to *White's Chocolate-House*, waited there, brought them back to *Star-Court* or else could have been at home two Hours sooner, and notwithstanding could get but a Shilling, which the Woman of the House gave him, and that he did believe it was a Bawdy-House, and that he pray'd for her in his Heart. She added that talking of the Matter at another time, he said, the Gentleman had a brave Scarlet Cloak, he wish'd he had left it behind him in the Coach; upon which she ask'd him why! Would he have kept the Gentleman's Cloak? That he answer'd, then he must have come after him and he would have had his Fair, and added, if he had not come for it, it would have been brave, it would make him a brave Suit: To which his Brother-Coachman

man and Fellow-Servant reply'd, that it would have made him a Beau Officer for King George; to which he reply'd, Ay, he should want nothing but a Sword. This was confirm'd by his Fellow-Servant in Court. Upon which the Court wondred at his forgetfulness of so many remarkable Passages depos'd, By his Master, Mistress, and Fellow-Servant, bid him recollect himself; but still he would remember nothing. The Court then told him, perhaps he having given his Master one Shilling instead of three, was the Cause of his denying it; but he ought to consider he was upon his Oath, and in a Matter of Moment, advis'd him to consider and speak the Truth: but still he denied it. The other Evidences that saw the Coach, when it came to *Star-Court*, depos'd, They did believe him to be the Coachman, and describ'd his Clothes, which agreed to the Description; but still he obstinately denying it, *Mary Roberts*, the Prisoner, that was carried in the Coach with Mr. *Motteux*, cry'd out, that is the Coachman that carried us; he is the very Man, and had 3 s. for carrying us. *John Eaton*, who was a Lodger in Mrs. *Merrick's* House, next Door to the Prisoner, depos'd, That he being indisposed went early to Bed, but about 12 a Clock was wak'd, heard a Noise and Rustling in the next House, a trampling of Feet, and

and a great Fall that shaked the House, but it being usual to have such Disturbances there, he lay still and took no notice of it, till next Day he heard a Gentleman was Dead there. Mr. *Chaloner*, an Apothecary, depos'd, That between 12 and 1 a Clock his Man came up to him, he being in Bed, telling him there was a Soldier and another Man wanted him to go to *Star-Court*; he rose immediately and went: And when he knew where it was, said, had he known where it had been, he should hardly have troubled himself to have got out of his Bed to have gone thither; he had so ill an Opinion of it; but: however he did go, and when he came thither he saw a young Woman, which was *Elizabeth Shepherd*, who told him there was a Gentleman in a Fit above Stairs. That he went up and he saw Mrs. *Simmerton*, *Mary Roberts*, and the other Prisoners, and a Man in a Leather Apron, whom he took to be *Simmerton's* Husband, there; that he view'd the Body, and it looked very pale and ghastly; that it was in the Bed; that the Gentleman had two Shirts on; that he found the Body warm, being in the Bed, but the Hands stiff and cold; that he was Dead, and seemed to have been so some time, perhaps a quarter or half an Hour; that there were Papers lying upon the Table in a Red and White Handkerchief; that he enquired.



enquired who the Deceased was, and who he belonged to, and one of them made Answer that he was a Cousin of *Mary Robert's*; to which *Mrs. Simmerton* reply'd, 'tis no such thing, he is a Stranger, and upon that desired him to look over the Papers, and see if he could know by them who he was; that he did, and found a Letter directed to *Mr. Peter Mottuex*, Merchant, in *Leadenhall-street*: That upon this he order'd them to send away immediately and give Notice to his Family; that the two Men, *Williams* and *Hutchinson*, said they would go immedianelly, and he thought they had gone; that the Man in the Leather Apron ask'd the Soldier to go with him, That there came up another Woman and ask'd who brought the Gentleman there, and one of them answered, *Moll*; whereupon the Woman cursed her, and said she had brought her self into a fine Scrape; that then he seeing the Gentleman to be Dead and nothing to be done, he went home to bed, and the next Morning about 11 a Clock a Gentleman or two came to enquire of him concerning the Deceased. *Ann Bateman*, Servant to *Mr. Drury* living in *Sheer-Lane*, deposed, That between 12 and 1 a-Clock *Mrs. Simmerton* came and wanted to speak with her Master, and seemed to be in a great Surprize, saying she was ruined and undone, there was a Man dead  
in

in her House. That her Master enquir'd who he was, she said a Gentleman in a Scarlet Cloak, a Merchant, in *Leadenhall-street*, that he asked if he had no Money nor Papers, she replied No; No Money! he said that was very strange. That after some farther questioning he bid her take Care of what she did, and send away to give Notice, and take care of his Effects: That she afterwards owned he had 8 Guineas, and chink'd them in her Hand; but said she would go back and put them into his Pocket again. That then Mrs. *Simmerton* went away. That about 8 of the Clock the next Morning she, to satisfy her own Curiosity, went to Mrs. *Simmerton's*, view'd the Body, found two Shirts on, unbutton'd: That she view'd the Neck and observed that there was a blackish Circle round it: That feeling the Body warm, it having been covered in the Bed, she said she believed he might not be dead; but if he were, she feared they would bring him in strangled: that they answer'd her, he was brought in Dead out of a Coach.

*William Linmer*, Servant to Mr. *Motteux*, deposed, that about 8 a Clock the next Morning the Soldier *Edward Williams*, and *Percival Hutchinson* came to his Master's House, telling him a Gentleman in such a Habit was Dead at such a House; that thereupon he ran away immediately, found

found it was his Master, he sealed up his Papers and Things, and ran back and told the Family, they sent away for Mr. *Bridges*, a Surgeon, and went away immediately to *Simmerton's* House. Mr. *Swarts* deposed, that he lodging in Mr. *Motteux's* House, was told about 8 a Clock in the Morning by *William Limmer*, that a Soldier and another Man had brought the Message before related, he went down, enquir'd of *Williams* and *Hutchinson*, who told him the Story; he ask'd what he had about him; they said 4 Guineas, and about 4 Shillings and 6 Pence in Silver, and some Halfpence, some Papers, but all was safe, it was a very honest House. Mr. *Bridges* deposed, that when he went, he found the Prisoners there; that enquiring how it happen'd, *Mary Roberts* said, That as she was coming with the Deceased in a Coach against *St. Martin's-Lane*, he complain'd he was not well, desired her not to be affrighted, he was used to have Fits, lean'd his Head upon her Shoulder; that when she came to Mrs. *Simmerton's* they got him brought in and put him to Bed, and that he never spoke more; that he viewed the Body, found a Circle about his Neck and a Bruise on the side of the Head, and several Blacknesses on the Breast and other Parts of the Body; and said, It is plain enough how the Gentleman died: Upon which Mrs. *Sim-*

*merton*

*merton* cry'd out, O Lord ! I hope the Gentlemen don't suspect that he has had foul Play ; telling a long Story of her Care and Management, saying she had sent for two Surgeons ; he enquir'd their Names, and was told one of them was *Winnel*, in such a Place, where they sent ; but could never find him, nor could he ever hear there was a Surgeon of that Name. That upon some further Inquiry, *Hutchinson* stepp'd down Stairs, ran away, and has not been heard of by the Prosecutor since. *Mrs. White* deposed, that *Eliz. Shephard* came to her that Day the Prisoners were apprehended, desiring to be entertain'd, telling her she need not be scrupulous of entertaining her, for she had Gold and Silver enough. Several Persons, and among the rest a Constable appear'd in Court, and deposed, that *Eliz. Simmertons* had been very notorious for keeping a disorderly House, that there had been frequent Disturbances, and crying out Murder.

The Prisoners in their Defence pleaded as follows : *Mary Roberts* said, that as she was passing along near *Ludgate*, the Deceased looked very hard upon her, and walking before her till he came over-against *St. Dunstan's Church*, halted till she came up to him, and invited her into the Tavern to drink, but she refus'd ; but afterwards



wards waited on her to her Lodgings at Mrs. *Simmerton's*, that there they had two full Pots of Ale and Brandy, and then he said he had Business at the other end of the Town, and desired her to go with him; that they went to St. *Clement's* Church, where he call'd a Coach, and they went together to *White's* Chocolate-House, that he told her he must speak with some Gentlemen, and said he lik'd her very well, and to assure her he would not bilk her, left his Scarlet Cloak and Sword with her in the Coach, while he came again. (But this was contradicted by the Servant at the Chocolate-House, who was very positive that he had his Cloak on and pull'd it off, and laid it down while he was there.) That he staying there about an Hour and an half, she then sent the Coachman into the Coffee-House to tell him she liv'd a great way off, desired him to take his Cloak and Sword and discharge the Coach, and she would go Home; but he sent her word that he would come in a Minute, and came soon after, that then he order'd the Coach to drive to *Temple-Bar*, that by the way, as they were over-against the *New-Exchange* in the *Strand*, he complain'd he was not well, and said, My Dear, don't you be affrighted, I am going into one of my Dumb Fits which I us'd to be troubled with; and leaning his Head upon her Shoulder,

Shoulder, she supported him till she came to Star Court, and then sent the Coachman to tell her Landlady to bring a Candle to the Coach, which she did, and that the Deceased remained Speechless and Helpless; that they got a Soldier (*Edward Williams* the Prisoner, who she said was a Stranger) coming by in the interim of time, to take him upon his Back and carry him into *Simmerton's* House, which he did, the Coachman holding up his Legs; that then they sat him down in a Chair, but he continued Speechless; that then they carried him up Stairs, put him into Bed, hoping that might bring him to himself, and afterwards sent for the Apothecary, and taking a Looking-Glass to see if he breath'd, found he was Dead. That then when they knew where to send, they sent to give the Family Notice: That the Deceased's Son when he came was satisfy'd with the Account they gave of his Father's Death; that he would have no Coroner nor Jury sit upon him; and promis'd them all Satisfaction for their Care and Honesty in delivering him all his Father's Papers and Gold Seal worth 12 l. four Guineas, Half a Crown, two Shillings two Pence Half-penny in Half-pence, which was all he had. *Elizabeth Simmerton* was much in the same Story, adding, that she rallied *Mary Roberts* for bringing Trouble and Scandal upon

upon her House; and that thereupon *Mary Roberts* cry'd out shame on her for being so cruel to a Gentleman in Distress, said she would have the Gentleman into her own Room, and so he was carried up Stairs, and in a little time she came down and told her that she believ'd he was Dead, and thereupon she sent for an Apothecary and Surgeon, and took all the Care she could of him, and sent Notice as soon as she could. *Edward Williams* said, he was only going by accidentally, being a Stranger, (though it was proved he lodged there) and was desired to help the Gentleman in out of the Coach, and afterwards staid to assist them with him. *Elizabeth Williams* said, she only came there to call her Husband Home. *Elizabeth Shepherd* deny'd that she lighted the Gentleman and *Mary Roberts* up Stairs. But these Things were all contradicted by the King's Evidences. Upon the Hearing of the whole Matter they were all Acquitted.



*The T R Y A L, &c. of*  
*John Price, the quondam Hang-*  
*man.*

**H**E was indicted *April* the 24th 1718, for the Murther of *Elizabeth*, the Wife of *William White*, the 13th of *March*, He was a second time indicted upon the Coroners Inquest for the same. The first Evidence, *Alexander Dufsty*, deposed, that as he was coming over *Bunhill-Fields* on the 13th of *March* at about 10 a-Clock at Night, he heard a Man's Voice, and a Woman Groan, and heard the Man say, *D—mn you for a Bitch, why don't you take it in your Hand and put it in? if you won't put it in I'll rip you up.* And immediately after, *D—mn you Bitch, where is your Money? give me your Money.* And presently coming up with another Man, he said to him, did not you hear the Groaning? he reply'd, Yes, I did. That then he desired him to go along with him and see what was the matter; but he seem'd not willing to venture. That then he said lend me your Stick and I will; and he stood ready to assist him upon occasion. that going up to them he found there was a Woman lying on the Ground, and the Prisoner on the Ground busy about her.

That



That when he came near, the Prisoner cry'd, *Damn you what are you?* he repli'd a Man, he cry'd *Damn you what do you want!* he reply'd, to know what he was doing there. He reply'd that there was *nothing but a Drunken Woman*. That then he call'd for Help, and they laid hold of him, and some People came by with a Lanthorn and Candle. That the Deceased lay in a very odd Posture, and a very bad Condition, with her Coats up to her Belly, Streams of Blood issuing out of her Eyes and Mouth; that he called to her, but she could not speak, but made a gagling Noise as if she had something in her Mouth, which appeared to be Blood. Another Evidence depos'd, As I was going home from Work over *Bunhil-fields*, I heard a groaning, and stooping down towards the Ground saw a Man, I went up to him and ask'd him if he heard the Groaning; he replied, Yes; I desired him to go up, and he refus'd, I desir'd him to stand by me and I would go. I did, and going within five or six Yards of the Place I saw the Prisoner upon the Ground with the Woman, the Woman's Coats were up to her Belly; that the Prisoner said, *G——d D——mn you, what do you want?* that he repli'd, he wanted to know what was the Matter; that the Prisoner repli'd, *it was nothing but a Drunken Woman*, and lifted up her Foot and said it was a Man. That then he enquir'd of him

where he met with her, he said first at an Ale-House, then at a Brandy-Shop, another time at the Burying-Ground Gate; so they seized him and carried him to the Watch-House; his Hands Coat and Apron were all Bloody; he depos'd, That the Woman was very Bloody in the Face, and one of her Eyes beat out of her Head; he added, he heard the Prisoner damning her for a Bitch before he came up to him, and was sure it was his Voice. The Constable depos'd, That the two former Evidences brought the Prisoner down to the Watch-House; that he was all over very Bloody, and that he would have gone away; saying that he had done nothing; but he told him, he knew him to be a Thief and a Rogue, and if he did not sit down he would knock him down, or throw him into the Fire. That then he went to see for the Woman, but being very dark the Evidences miss'd the Place; and he hollowed in the Field, that if any Body was in Distress they might know they were come to assist them; but there was no Answer made; but a Dog he heard barking about the Body, gave them notice where to find her. That when they came they found her lying in a sad Condition, as had been before described; and besides some of her Teeth knock'd out, which were shown the next Day before the Justice, and one of her Arms broke; that then

then he got her carried to the Watch-House, and sent for some Women to hold her forwards, for she was choak'd with Clods of Blood in her Mouth and Throat, and could not speak. That then he sent her to a Nurse, and ordered her to be taken Care of. The Nurse depos'd, That she was brought to her in the Condition before described, adding that she could not speak a Word all the while she lived; that she said to her tho' you can't speak you can hear, make some Signs how you came by your Hurt: that she lifted up one of her Hands, not being able to stir the other, and put it to her Head, Throat and Belly, signifying that she was Hurt in those Parts: that in this miserable Condition she languished 4 Days and then Died. Mr. Goodman the Surgeon depos'd, That being sent for to the Deceased he found her in a sad Condition, a Wound above one Eye, her Eye started out of her Head, which he depressed and put in again, that she had another Wound near her Nose, her Throat very much bruised, her Scalp of her Head so bruised and contused he had scarce ever seen the like, that the upper part of her Womb was very much tore and lacerated, and that her Wounds were the Cause of her Death. The Woman's Husband depos'd, That his Wife used to sell Cakes and Gingerbread about the Streets, and went

out that Morning very well about 10 a Clock, that his Son came home about 10 at Night, and she having the Key he could not get in, and so sat down at the Door waiting her coming home and fell asleep, but waking and she not being come home, he came to him to the Watch-House in *Cheapside* (he being a Watchman) to enquire for her, that he knew nothing of her till he heard the next Day of the Accident, in *Bunbil-fields*. The Prisoner denied he knew any thing of the Fact, but that as he was coming from *Holloway-Lane* he saw three Men crossing the Fields to *Chequer-Alley*, found something lie in his way, kick'd at it with his Foot, found it was a Woman, and lifted her up, but she could not stand upon her Legs; and while he was doing that was apprehended. But the Jury were so well satisfied with the Evidence for the King, that they readily found him guilty of the Murther, and he received Sentence of Death.

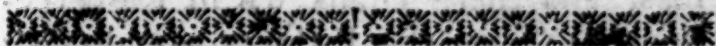
*The Account he gave of himself was as follows, That he was 41 Years of Age, born in Old-Soho, in the Parish of St. Martins in the Fields, now in the Parish of St. Anns Westminster, that his Father was a Soldier in Tangier, but unfortunately Blown up in the Demolishing of that Place, about the Year 1673. and his Mother being left in poor Circumstances, and not being able to give him Education, nor indeed himself*



himself willing to take it, he was put Apprentice to a Rag Merchant, that his Master dying when he had been about two Years with him, he presently went away from his Mistress, who he said was very severe to him, and got into another Service, which was loading Waggon with Rags, that after that he took a fancy to go to Sea, and accordingly served on board the old Ruffel, Grafton, Devonshire, and other Men of War, off and on for the best part of 18 Years. And afterwards he was the Finisher of the Law, for about Twelve Months, and might have continued so to that time, if he had taken better care of his Concerns, and lived within Compass; but spending his Money so fast, and beyond his comings in, and thereby growing in Debt, he was one day Arrested in Holbourn, at his return from an Execution, and tho' it was but for 7 s. 6 d. which he then clear'd, and also paid the Charges partly with what little Money he had then about him, and partly with 3 suits of Cloths, the remains of them that had been executed that Day. Yet having two other Actions clapt upon him, and no Mony, Credit, or Bail to give in, he was thrown into the Marshalsea, where he continued a Prisoner some time, so that when the next Execution was to be performed, he being out of the way, William Marvel was put in his Place of Executioner. That he then continuing in the Marshalsea, now and then obtained the liberty of going abroad, and work'd as a labouring Man, serving Bricklayers, Masons, &c. But

afterwards being barr'd from that Liberty, he with another fellow Prisoner of his, contriv'd and found out away to Escape thence through a Hole made in the Wall. The Ordinary says he found him very Ignorant, and Insensible, could not read nor give any account of his Faith, and instead of attending on the word of God and Prayers, gave himself up to drinking Geneve, and other strong Liquors, to such an excessive degree, as rendered him unfit for the Exercise of any part of Religion, seeming then to be altogether, Insensible of his Misery, and Unapprehensive of his future State, when he was sober, which he very rarely appeared to be, he seem'd to be a little more Considerate and Serious, and shed some Tears either of Grief or Fear, or both, he did then in the general lament his wicked Life, and woful Condition in general Terms; but exprest no Sorrow for, nor would descend to any Particulars, and all he would say was that; he knew he must Die, and when the Ordinary laboured to bring him to a Sense of his Miserable Condition he answered him, that if he had many Sins, they were such as were common to other Men, as well as himself, and that he supposed what ever his Condition might then be, (i. e. after this Life) it would be no worse than others. He obstinately persisted in denial of the Murther he was Condemned for, thus he remained to the day of his Execution, when he Confest he was Guilty of it, saying he did it when he was much in Liquor, and after he had join'd with the Ordinary,

dinary, in Prayer he bid him desire the Spectators to take warning by his untimely End, and pray that God would be pleased to receive his Soul, which he did, and was turn'd off, he was Executed in Bunhill-Fields, May 31<sup>st</sup> 1718. and afterwards hung in Chains near Holloway.



The T R Y A L, &c. of  
Amy Harrifon *alias* Chance.

**S**HE was indicted at the Old Baily, the 26<sup>th</sup> of April, 1719. for privately stealing 1 Guinea, and 2 half Guineas from the Person of *Bernard Kemble*, the 14<sup>th</sup> of March. The Prosecutor depos'd, That he deing in Liquor was met by the Prisoner, who carried him to a bad House in one of the 7 Streets, and there made him Drink Drams, and so more fuddled, and then used him barbarously, beat him and would have turn'd him out of Doors, and put her Hand in his Pocket and took his Money. Being asked by the Court if there was no other Person but she, he owned there was another Woman; and being asked likewise if he saw her put her Hand in his Pocket, he said No. Being told by the Court, that he having owned he was Drunk, perhaps he might not know which of the

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Women took it, he replied, the Prisoner took it. The Prisoner in her Defence alleged, that she met the Prosecutor in *Drury-Lane*, and 2 Women one of whose Names was (*Betty Tooley*) along with him; that they all went together to her Lodgings, and there Drank 8s. in Raspberry-Brandy: Then the Prisoner would needs lie with them, and that in State too, which he did, and for that purpose gave her a Crown, he liking her the best, and the two other Women half a Crown a-piece to assist in the Pageantry. The Prisoner being asked by the Court, what she meant by his lying in State, she gave the following Description of it. That the Prosecutor, herself, and the two Women stripped themselves all naked, and the Prosecutor lay with her in the Middle, laying his Hands on the Bellies of the two other Women that lay naked on each side her. She added, that whereas he said he was barbarously used, he had put her to the Charge and Trouble to buy a good Broom to whip him with. The Court observed that indeed he an old clumsy Fellow deserved to be whipped for picking up Whores; but asked her why she whipped him, she replied, it was his Fancy to be whipped, and desired her to do it. There being not Proof sufficient that she took the Money from him, she was Acquitted.

*The*



The TRYAL, &c. of  
JAMES QUINN, Gent.

HE was indicted for the Murther of *William Bowen*, Gent. the 17th of April, 1718. by giving him one mortal Wound with a Sword on the right Side of his Belly of the breadth of one Inch and the depth of four Inches, of which Wound he languished till the 20th and then Died. He was also indicted a second time upon the Coroner's Inquest for Manlaughter. The Evidence was as followeth.

*Robert Martin* depos'd, That he being at the *Fleece-Tavern* in *Cornhil* the 17th of April about 4 or 5 a Clock in the Afternoon, *Mr. Bowen* being there, and espying him, called to him, and desired him to drink a Gläs of Wine with him, which he did, and that then *Mr. Quinn* was with *Mr. Bowen*; that as they drank, *Mr. Bowen* and *Quinn* put pretty Smartly upon one another with witty Jests, and fell to talk of their Performances in Acting, whereupon *Mr. Quinn* told *Mr. Bowen*, he had no Occasion to value himself so much on that score, since *Mr. Johnson*, who had but seldom acted it, did Act the part of *Jacomo* in the *Liber-tine* as well as he who had Acted it often. That from this Discourse they fell into Discourse

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about their Honesty, and Mr. *Bowen* giving himself the Character of *as honest a Man as any was in the World*. To which Mr. *Quinn* reply'd by asking Mr. *Bowen* if he should tell the Story of the Court, Mr. *Bowen* said no, it was no Matter; but at last said, he might tell it if he would, which Mr. *Quinn* did; and Mr. *Bowen* still persisting to abide by the assertion of his Honesty, they proceeded so far as to lay Wagers about it, and Money was laid down; Mr. *Quinn* Charg'd Mr. *Bowen* with sometimes drinking Healths to the *Duke of Ormond*, and at other times refusing it. Asking Mr. *Martin*, to whom the Decision of the Wager was left, *How could he be as honest a Man as any was in the World who Acted upon two different Principles?* That thereupon Mr. *Martin* told Mr. *Bowen*, that if he insisted upon it, as to his being as Honest a Man as any was in the World, he must needs give it against him. That this Discourse was all the while carry'd on with a jocular Air, but upon this Mr. *Bowen* rose up flung down some Money for the Reckoning, saying, he could not bear it, but must be gone; that he did go away but he did not perceive in him any Signs of a Resentment that should procure so fatal a Consequence, That after Mr. *Bowen* had been gone about a quarter of an Hour, there came a Porter to the *Fleece-Tavern* to enquire for him

and asked if one Mr. Quinn was not in the Company; that Mr. Quinn went out to the Porter, and the Porter having whisper'd him in the Ear he went away with him, and having been gone about a quarter of an Hour, Mr. Quinn came back and asked if he knew where Mr. Bowen lodg'd, desiring that they would go to the *Pope's-Head-Tavern* and take care of him, for there had been a Dispute between them, and he was afraid he had wounded him Mortally. That then Mr. Quinn went away, and he and Mr. Day, who were then in Company, went immediately to the *Pope's-Head-Tavern* and enquired for Mr. Quinn and Mr. Bowen. But the Porter of the Tavern said they did not know them, nor would own that Mr. Bowen was there; that sitting down to Drink in an open Room next the Passage they saw a Chair brought in, and asking whether there was not a Gentleman wounded there, they were answered no, there was no Gentleman there wounded, but that Chair was for a Gentleman that was something disordered. That then a Gentleman came down Stairs and went into the Chair but the sight being intercepted by the Bar, they could not see him go in, but heard him say to the Man of the House, *I am wounded in your House, but it is done very fairly, the Gentleman has done it fairly.*

Mr..

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Mr. Day depos'd, That he having been with some Gentlemen at the *Fleece-Tavern* was going Home, and in the Tavern Yard a Gentleman hipp'd to him, which was Mr. Bowen, who was sitting in a Room by himself; he desired him to drink a Glass of Wine with him, but he refus'd, not having Dined; but he going home, it being about 4 a Clock, the Family had Din'd, whereupon he return'd to the *Fleece*, and there found Mr. Bowen, Mr. Quinn, and Mr. Martin together. That Mr. Bowen and Mr. Quinn, were talking together in a Jocular manner about their Performances in Acting; and Mr. Bowen reflected on Mr. Quinn, that he had acted *Tamierlane* in a loose sort of a manner; that Mr. Quinn reply'd, that Mr. Bowen had no great occasion to value himself for his Performance, in that Mr. Johnson, who had acted it but seldom, acted the part of *Jacomo* in the *Libertine* as well as he, who had acted it often. That from this discourse, by what Transition he knew not, they fell into discourse about Honesty, and Mr. Bowen giving himself the Character of as honest a Man as any was in the World Mr. Quinn told a story, That having been out one Night pretty late and going Home, he heard in a Court a hot Contention between a Gentleman and a Woman, which Gentleman he found to be Mr. Bowen, who is  
very



very high terms was demanding the return of half a Crown of her, which she was unwilling to part with; but he swearing he would have it, she offered to give him back a Shilling of the Half Crown but he swore he would have it all; then she offered him 18 Pence, but he insisting upon the whole, she told him it was very Ungentleman like, to insist upon the whole when he had the use of her Body; but he still insisting, she offered 2 Shillings, but he swearing he would have it all, he had it all back of her. The story being told, Mr. *Bowen* insisted still on his Honesty, and that notwithstanding, he was as Honest a Man as any was in the World, and offer'd to lay a Wager on it, which Mr. *Quinn* would have evaded; but Mr. *Bowen* urging it, Mr. *Quinn* said if you will lay I will lay with you; and the Money was laid down on both sides, and Mr. *Martin* was to decide the Controversy. That Mr. *Quinn* then related some Passages of Mr. *Bowen*'s Drinking the Healths of Persons obnoxious to the Government, and such like matters, and that Mr. *Martin* said, If I must give my Opinion as to your being as Honest a Man as any in the World, or in *England*, I must give it against you. That soon after Mr. *Bowen* in a hasty sort of a manner rose up and threw down some Money, saying he would not stay in the Company any longer, and so went away.

But

But he did not perceive any such high Re-  
sentments and Anger in him as to apprehend any such fatal Consequence; the mutual Freedoms that were taken on both sides seeming to rise no higher than to cause the common Ruffles of Human Nature, and not to be such as he would call Mr. *Quinn* to an account for. That then Mr. *Bowen* having been gone a quarter of an Hour or less, a Porter came and enquir'd for Mr. *Quinn*, and he went away with the Porter, but they knew not that it was Mr. *Bowen* had sent for him, and in about a quarter of an Hours time Mr. *Quinn* came back and said Mr. *Bowen* had sent for him to the *Pope's-Head-Tavern*, had taken Occasion to quarrel with him, had obliged him to fight him, he had so done, and believed he had hurt him, and desired us to go see if it were mortal, and to take care of him. That immediately they went to the *Pope's-Head-Tavern*, as has been before related, but the People of the House deny'd Mr. *Bowen's* being there; but saw a Chair brought in, heard his voice when he was got into the Chair, saying to the Landlord, *I am wounded in your House; but the Gentleman has done it fairly, If I die I forgive him, but if I live I will be revenged of him.*

*Tho. Antrum* the Porter depos'd, That as he was standing by *Tom's-Coffee-House* in  
Cornhill,

*Cornhill*, Mr. *Bowen* called to him and bid him go to the *Fleece-Tavern* and ask for Mr. — and seeming to have forgot the Name, swore as tho' in a fret, and went a little way from him, then calling him again bid him go and ask for Mr. *Martin*, and if Mr. *Quinn* was in the Company to tell him a Gentleman wanted to speak with him, that he did so, and Mr. *Quinn* came immediately out to Mr. *Bowen*, who had then walked about half a score Doors lower, and Mr. *Quinn* coming up to him they went both together into the *Swan-Tavern*, but Mr. *Bowen* gave him nothing for his pains.

*Henry Trevesa*, Drawer at the *Swan-Tavern*, depos'd, That about 6 or 7 a Clock at Night the 17th of *April* Mr. *Bowen* and Mr. *Quinn* came in together and asked for a Room, he show'd them a Room up one pair of Stairs, Mr. *Bowen* going up first; but that Room having been new painted Mr. *Bowen* objected against it, as smelling of Paint, he then show'd them into the Great Room, which because there were some Gentlemen drinking at one end of it. Mr. *Bowen* said it would not do, he turned about shaking his Head, and seeming angry with him, went down Stairs and so away.

Mr. *Griffin Bowen* depos'd, That about 11 a Clock at Night, the 17th of *April*, a Person came to him desiring him to go to his

his Father, for that he was wounded; upon which he went and found his Father in Bed. That he asked him several times how it came, and who had done it, but he would not tell him: But at last, with much Urgency, he said it was Mr. *Quinn*. To which he reply'd, *Is it that Man! the worst of all Mankind? how came you into his Company? If you get over it, it will be a Reflection upon your Family.* That at that time they were not apprehensive that the Wound was mortal; but on the *Sunday* about Twelve or One a Clock, some Symptoms of Death appearing, as his Nails turning black, the Doctor being present, told his Father he would have him think of another World, in that he was not a Yard from Death: Whereupon he again urged him, as he was a dying Man, to tell him how the Accident came. To which he reply'd, That he met Mr. *Quinn* at the *Fleece-Tavern* in *Cornhil*, who was always abusive to him, and he having given him provoking Language there, he went away, and sent for him out to desire him not to give himself that Freedom of Speech against him. That *Quinn* said he should go to the Tavern, and that they went to the *Swan* and afterwards to the *Pope's-Head*, where with a Volley of Oaths he gave him abusive Language, barricado'd the Door with two Chairs, and he having given him such foul Language he could



could not bear, their Swords were drawn, and he catching Mr. *Quinn* by the Sword-Arm he wrested himself from him and gave him that Wound.

*Mary Sewel* depos'd, That she being present half an Hour or an Hour before Mr. *Bowen's* Death, heard him, being ask'd how it came, say, very unfairly, I was barbarously murdered.

Mr. *Essex Weller* depos'd, That there had been for near two Years standing a misunderstanding between Mr. *Quinn* and Mr. *Bowen*, which he apprehended was occasion'd as follows. That Mr. *Quinn* at his first coming into the Play-House behaved himself with much Civility and good manners, but soon after broke out into quite the reverse of it; that Mr. *Bowen* taking upon him to advise him to another manner of Behaviour, it was the occasion of a Difference between them, and since that time Mr. *Quinn* had shewn an Animosity against Mr. *Bowen*, saying he was a vile Fellow, and was not fit to live; used to call him Turn-Coat, and would sometimes ask him if he did not drink the Duke of *Ormond's* Health in his Heart, and sometimes saying he ought to be used like a Dog, and deserved to be stuck. That this had continued for two Winters, till Mr. *Quinn* left the Company and went to *Lincolns-Inn Fields* Play-House. It was further depos'd, That

as Mr. *Quinn* was sitting by the Fire behind the Scenes, and Mr. *Bowen* passed through, Mr. *Quinn* seeing him said, here comes that rascally, Whiggish, Tory Fellow, *Bowen*, who deserves to be stuck; but Mr. *Bowen* went on, not seeming to take any notice of it.

*Jonas Mounsey*, the Surgeon, deposed, That on *Thursday* the 17th of *April* he was sent for to the *Horn-Tavern* in *Fleetstreet* to dress Mr. *Bowen*, that he found a small Wound under his Arm, and another in his Belly about four Inches below the Navel, which he dress'd, and being sent for to another Patient left him, not then apprehending it would be mortal; but afterwards on the *Monday* Mr. *Bowen* being dead, he opened him and found the Wound had gone several Inches into the Cavity of his Belly, slanting a little towards the Left, and had touch'd a Gut, and was persuaded that Wound was the Cause of his Death.

Mr. *Quinn* in his Defence pleaded, That he having accidentally met Mr. *Bowen* at the *Fleece-Tavern* in *Cornhill*, they drank together in the Company, and had the Conversation that has been before related; that thereupon Mr. *Bowen* went away, leaving him in the Company of Mr. *Martin* and Mr. *Day*; that in about a quarter of an Hour after a Porter came and asked for him telling him a Gentleman wanted to  
speak

speak with him; whereupon he took up his Hat and Gloves, his Sword being then by his Side, and went away with the Porter, and in *Cornhill* about six Doors below the *Fleece* he found Mr. *Bowen*, who said he wanted to drink a Pint of Wine with him: Upon which he reply'd, that if Mr. *Bowen* had half an Hour to spare, he thought it were better to spend it in the Company of those Gentlemen they had before been in, adding likewise that he coming away with the Porter had not paid his Reckoning: But Mr. *Bowen* refused so to do, saying he would go to the *Swan*; and Mr. *Bowen* asking for a Room followed the Drawer up one pair of Stairs, and himself followed Mr. *Bowen*, but the Room having been new painted, he said it would not do. That then the Drawer show'd them the Great Room, but there being some Gentlemen in it, Mr. *Bowen* said it would not do; the Drawer offer'd to draw a Curtain to part the Companies, but Mr. *Bowen* saying it would not do, went down Stairs, he following him. Then Mr. *Bowen* said he would go to the *Pope's-Head*, where being shown a Room, and calling for a Pint of Wine, they sat down, and he desired Mr. *Bowen* to tell him what he had to say to him, desiring it might be short, in that he had left his Company without paying the Reckoning. That then having drank each  
a Glass

a Glas of Wine, he perceived a Distortion in Mr. *Bowen's* Countenance, and he rose and barricaded the Door with two Chairs, told him that he had injured him past verbal Reparation, and nothing but fighting him should make him amends. That there-upon he argued with him, endeavouring to dissuade him, but Mr. *Bowen* bid him not trifle with him. That he then desired Mr. *Bowen* again to defer his Resentment and sleep upon it, and if he could not come into Temper by the next Day, he would meet him and ask his Pardon in the same Company that he said he had injured him in; but Mr. *Bowen* bid him again not trifle with him, for that he had injur'd him in his Reputation, which he was resolved never to survive, and would now do himself Justice; and drawing his Sword in a violent Passion, swore if he did not draw he would run him through: Upon which he was obliged to draw in his own Defence, and what was the Consequence has been before related. That he having given Mr. *Bowen* the Wound, he took him by the Hand, kissed him, bid him take his Hat and Wigg and go back to the *Fleece*, and send Mr. *Martin* to him to take care of him, afterwards to make his Escape; and if he died desir'd him to be a Father to his Children. The Prisoner then called several Evidences, who deposed as follows.

Besides



Besides the Porter, who deposed as before, That Mr. *Bowen* sent him to the *Fleece-Tavern* for Mr. *Quinn*; and the Drawer at the *Pope's-Head-Tavern*, deposed, That Mr. *Bowen* came and ask'd for a Room; that he show'd him one; that having carried in a Pint of Wine, fill'd a Glass or two, set it down, and went away, and knew nothing of any Encounter, or heard any Noise, till about a quarter of an Hour after Mr. *Bowen* rang the Bell, he went up, Mr. *Quinn* was gone, Mr. *Bowen* bid him go to the *Fleece-Tavern* and call Mr. *Martin*; he went, but Mr. *Martin* was gone; he told Mr. *Bowen*, and he bid him call a Surgeon, but recalling him again, bid him fetch a Chair, leaning his Head on the Table; he called a Chair and went away in it, and at his going in, said, that what Mr. *Quinn* had done, he had done very honourably and justly, and that he heartily forgave Mr. *Quinn* live or die.

*Edward Meakins*, the Master of the *Pope's-Head-Tavern*, deposed, That he being engaged with the Parish Officers then in his House, knew nothing of the matter till Mr. *Bowen* had gotten a Chair in order to go away; that being in the Chair Mr. *Bowen* desired to speak with him, telling him he was wounded in his House; that then he desired him to send for a Surgeon, he reply'd he had, but he could not be found; that

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that Mr. *Bowen* added, I sent for you to tell you, *If I die, he has done me Justice, he gave me fair Play; I freely forgive him.*

*John Wright*, Drawer of the *Horn-Tavern*, deposed, That Mr. *Bowen* came back about 7 a-Clock in the Evening to their House in a Chair; that he went with him to *Steward's Coffee-House*, and afterwards to the *Horn-Tavern*; that he said he was wounded and desired him to fetch a Surgeon, which he did, who dress'd him, and being called to another Patient, went away; that then he ask'd Mr. *Bowen*, who had wounded him? he reply'd Mr. *Quinn*, but said several times he had done it fairly, and he freely forgave him.

*Prudence Inwell* depos'd, That Mr. *Bowen* came to *Steward's Coffee-House* in *Fleet-street*, supported by the Drawer of the *Horn-Tavern*; he seem'd very ill, and out of Order. and the Drawer said he was wounded: She asked him who had done it, he said he would not tell her, but he who did it had done it very fairly, and he freely forgave him. The Prisoner put a Question to her, how Mr. *Bowen* had used to behave himself at her House; she answered, he was used to be very often out of Humour, and had oftentimes been very disturbing to the Company. *William Gadson* depos'd, That he was at the Coffee-House when Mr. *Bowen* came in, and that he said he was wounded,

wounded, but the Gentleman that had done it, had done it fairly, and he freely forgave him. *Michael Owen* depos'd, That he seeing *Mr. Bowen* come into *Steward's Coffee-House* in Disorder, did think he had been Drunk, and therefore said, *here comes Bowen in his old Pickle*; but afterwards understood he was wounded, heard him say it was done fairly, and he freely forgave the Gentleman. *Mr. Cheret* depos'd, That the next Morning he being in Company with *Mr. Wilks*, he told him that *Mr. Bowen* was killed, and *Mr. Quinn* had killed him, and that *Mr. Bowen* had sent for him, but he did not much care for going, as *Mr. Quinn* had quitted their House, if he were brought in as an Evidence to any matter, the World might imagine he show'd something of Spleen: but however *Mr. Bowen* in those Circumstances having sent for him he would go, and desired him to go with him; that they did go, and *Mr. Bowen* desired of *Mr. Wilks*, that as there was a Play to be acted for his Benefit, if he Died his Wife and Children might have the Benefit. That *Mr. Bowen* said *Mr. Quinn* had given him very ill Language that he could not bear; that he had oblig'd him to draw his Sword and then he receiv'd that Wound; that when *Mrs. Bowen* talk'd of prosecuting *Mr. Quinn*, he desired she would not. *Mr. Cheret* also added, that *Mr. Bowen* and  
Mr.

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Mr. *Quinn* had often had Disputes, and always used to be jangling. Then the Prisoner said, Whereason one Mr. *Weller* has given me a very ill Character, I shall produce to the Court one Reason for that Character, calling one Mr. *Reason*, who depos'd, He had heard one Mr. *Weller* say, That if he could, he would be an Instrument of hanging Mr. *Quinn*, for he had quarrel'd with me and all the House. The Prisoner then added, that though he was unwilling to bring the Character of Mr. *Bowen's* past Life upon the Stage, yet it being necessary in his own Defence, he desired Leave of the Court to call Mr. *Francis Lee*, who depos'd, That Mr. *Bowen* was a very quarrelsome Man, and had several times attempted his Life, and once particularly as he was sitting at his Father's Door, Mr. *Bowen* passed by him and asked him how he did, to which he civilly answered; that Mr. *Bowen* passed on, went into a Coffee-House, and coming back in about half an Hour, while he was still sitting there, without any Provocation, called him Rascal, and Son of a Whore, drew his Sword, cut him over the Head, and he rising and retreating backward into the House he happened to fall, whereupon he made two Passes at him with his Sword, but happened to miss him, he putting it by with his Hand, and some body coming by and taking hold of him,



him, he was shortning his Sword to have stabbed him as he lay on the Ground, but was prevented by Persons running to his Assistance. That thereupon he advised with Sir *Peter King* in order to prosecute him, and did, but by the Mediation of some Great Men on Mr. *Bowen's* Account, did make it up with him. That he afterwards did attack him in *Salisbury-Court*, when he had no Sword; but People coming to his Assistance prevented him; upon which he Arrested him. That he afterwards broke into his Chamber, while he and his Wife were in Bed, demanding Satisfaction of him. He added, that Mr. *Bowen* met him about three Days before he received this Wound by Mr. *Quinn*, and would needs Drink a Pint with him at the *Ship-Tavern* near *Temple-Bar*, and there told him, *Mr. Lee, you and I have had Difference, but I desire you to put it up; and as I am an older Man than you, shall probably die before you, and I desire you to come to my Burial*, which at last he promised him to do, but had then no Apprehension it would be so soon. *Thomas Allpress* confirm'd the first Assault of Mr. *Bowen* upon Mr. *Lee*, and that he seeing him push at him as he lay upon the Ground caught hold of him, and pulling him back prevented him from stabbing him. *William Brown* depos'd, Mr. *Bowen* was always very fractious, and that

he coming into the *Sugar-Loaf* Ale-House in *Fleet-street*, saw Mr. *Bowen* with his Sword drawn, swearing and making a great Disturbance: that the Man of the House desired him to go out, telling him he knew he would let him have no Drink, having several times forbid him his House, he having made a Difference between him and his Wife; that he thereupon persuaded him to go away and not be further troublesome; he was in a great Passion with him, swearing *G—d D——m his Bl——d, you prevented me in my Business, and I will do yours for you.* That he afterwards meeting Mr. *Bowen* told him of it, to which Mr. *Bowen* reply'd *It is my Temper, I meant no hurt, you're a very honest Fellow.* The Prisoner then call'd several Persons to his Reputation: Mr. *Theophilus Keen* depos'd, That he had known Mr. *Quinn* very well, always found him rather inclinable to make up than promote Quarrels, and rather take those Things others call'd Affronts, than quarrellsomenely resent them. This was confirmed by Mr. *Bullock*, Mr. *King*, Mr. *Hawks*, Mr. *Moreton*, Mr. *Brown*, &c. The Prisoner then added, I have done nothing but what I was compelled to do; had I not opposed Mr. *Bowen's* Violence, I must have been guilty of Self-Murder. The Jury upon considering the whole Matter, found him Guilty of Manslaughter only.

The

*The* T R Y A L, &c. of  
M A R T P R I C E.

**S** H E was indicted for the Murther of *Ann Bickam*, by strangling her with a Leather Strap, the 3d of July 1718. To which Indictment she pleaded Guilty; at which the Court being something surprized, would have permitted her to withdraw her Plea; but she still persisted to plead Guilty. The Court then told her she would do well to consider what she did, for that it was Murther was laid to her Charge, which perhaps if she pleaded Not Guilty, might not be prov'd upon her, but if she confess'd it she must be hang'd: To which she replied, if she did confess it, she confess'd nothing but the Truth. The Court perceiving that nothing had Influence on her to alter her Plea, doubted whether she were *compos mentis*, order'd her to be set by till the Afternoon, when she being called up was Arraign'd again, and still persisted to plead Guilty, saying, she did do it: And being asked by the Court why she did it, she reply'd, she did it out of Revenge to the Father of the Child, and had he been there she had kill'd him; and as she had done it, she desired no other than to

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die for it, saying, Blood required Blood. Being afterwards called to the Bar to receive Sentence of Death, and ask'd what she had to say why Sentence should not pass upon her according to Law? She made Answer, she had nothing to say. The Person whom she murder'd was a Girl of about 3 Years and a half old, the Daughter of a Soldier, that either is, or is reputed her Mother's Husband, by a former Wife: The Provocation was, his taking away from her a Tobacco-Box, which she set a great Value upon for the Sake of the Person that gave it her; at his taking away of which, she threatned Revenge either upon him or his; and accordingly he being gone to the Guard, took one of his Leather Garters, and having strangled the Child with it, went out and acquainted the Neighbours with what she had done: yet there was not in her the least Appearance of Lunacy.

Mary Price, *alias Purry Moll*, gave the Ordinary the Account following, That she was 21 Years of Age, born in the Parish of St. Martin's in the Fields, had some time liv'd at Service, and afterwards carried News about the Streets; that a young Man who was a Running Footman to a Person who lately was of the highest Quality, having made Love to her, the Banes of Matrimony had been three times publish'd in St. James's Westminster, and  
at



at Shoreditch, where she Lodg'd, but before the Marriage was consummated, her Suiter had carnal Knowledge of her, and then went out of England without acquainting her with it, and went to his Master, but afterwards sent her two Letters, which not pleasing her very well, she entertain'd another Sweetheart, one Simon Shepperd, Brother to James Shepperd, Executed for High-Treason, who also went to Sea, but promising Constancy and Fidelity, gave her a Tobacco-Box as a Token, which Box the deceased (being Daughter to a Soldier, either her Mother's Husband or Companion) gave to her Father, which so far incens'd her (that having a Spleen against the Child before, and no good Respect for the Father, he being a Servant to King George, to whom she was disaffected) she committed the Fact, for which she signified a hearty Sorrow; she was executed August the 6th 1718.



The T R Y A L, &c. of  
Sarah Brown, alias Giles, and  
William Awdley.

THEY were indicted October 16, 1718, for the Murther of Nathaniel Affer, and robbing him of a Purse and 10 Guineas, two Gold Rings, &c. the 28th of

June last. *Stephen Awdley* deposed, that on *Saturday* the 28th of *June* last, about 7 a Clock in the Evening, as he was walking with one *David Beal* near *White-Chapel Church*, the Prisoner *William Awdley*, who was his Brother, came to him, and pulling him by the Sleeve took him aside, and told him that in such a Place in the Fields there was a Man lay dead in a Ditch, who had been murther'd by a Bitch; upon which he ask'd him how he knew it: that he answer'd, that the Woman first ask'd him if he would stand true, then told him of it. He then ask'd him if he knew the Woman; and he reply'd, Yes. That then he and his Friend went to see, and searching about found the Deceased lying with his Head back, his Mouth open, and his Legs drawn up: That then he went and discovered it to some Persons at *Mile-End*: Whereupon the Body was carried to a House, and his Pockets being searched, a Pocket-Book was found, in which they found his Name was *Nathaniel Affer*: he then left Directions in Writing where he and his Friend might be found if need should be; and when sent for, produced his Brother *William Awdley* to give a farther Account to the Jury. *Oliver Fen* deposed, that himself, the Prisoner *William Awdley*, and one *Paul Crony* and *Ralph Emme-ry* (the two last not yet taken) having been drinking

drinking all the Forenoon, went into *Salt-Petre-Bank*, and having been up all Night before a pilfering and drinking, were sleepy, and went out about two in the Afternoon into the Fields to sleep, where they met the Prisoner *Sarah Brown*, who told them there was a Gentleman with two Rings on his Finger that was asleep in such a Ditch. That she had been sitting by him, but he had taken no notice of her : that then they went, and *Paul Crony* went to him and pulled off his two Rings, and that the Gentleman pull'd in his Hand ; that then *William Audley* took up two large pieces of Brick and threw at him, one of which hit him on the side of the Head, and the other on the Side ; that *Sarah Brown* took out of his Pocket a Green Purse and Eight or Ten Guineas in it ; that *Ralph Emuery* took a Pocket-Book out of his Pocket, and a quarter of a Pound of Coffee, which he put in again, saying they were quere ; that then they went away to a House in *Salt-Petre-Bank* again, and *Paul Crony* gave him one of the Rings to pawn, which he left with a Person not yet taken : that they went afterwards and drank all together at a House at *Salt-Petre-Bank*, and *Sarah Brown* made an Excuse out, pretending to go to the Necessary House, and so elop'd, and carried the Money with her, so that he had no share of it. Other Evidences deposed, that

when the Coroner and Jury sat upon the Deceased, *William Awdley* being produced by the means of his Brother, did there upon Examination own that he had thrown two Brick-bats at the Deceased, one of which hit him on the Side, and the other on the side of the Head. The Surgeon deposed, that he found several Bruises and Contusions about the Deceased, as tho' he had been beaten very much, and tho' there was no external Wound, yet opening his Head near the Temporal Muscles, he found a quantity of coagulated Blood, and did believe that that was the Cause of his Death. The Prisoners both deny'd the Fact, and *Awdley* pleaded that he knew nothing of the matter, that he was indeed drinking that Forenoon with *Oliver Fen* and *Paul Crony*, and *Ralph Emmery*, and did go into the Fields, but that he and *Ralph Emmery* laid down to sleep in the first Field, but *Oliver Fen* and *Paul Crony* would go farther toward *Stepney*, and that he heard that *Oliver Fen* and *Paul Crony* had bit a rare Blow (as they term'd it) of a Hat and two Rings, and he went to the Ale-house at *Salt-Petre-Bank*, to demand his own Hat, supposing they had stollen it, for he lost it while he was asleep. *Sarah Brown* produced Persons who endeavour'd to prove she was at their Houses at *Salt-Peter-Bank* that Day, from 11 in the Forenoon

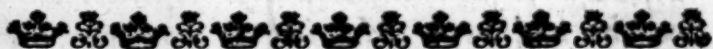


noon till the next Morning; but did not do it to the Satisfaction of the Jury, and *Oliver Fen* telling the Court that the Husband of one of her Evidences was at that very Sessions indicted for pulling off a Pocket: The Jury upon a full Hearing of the Matter, found them both guilty of both Robbery and Murther, and they receiv'd Sentence of Death.

Sarah Brown, *alias* Giles, *alias* Cranfield, gave this Account of her self, That she was 20 Years of Age, born in Spittle-Fields, that when she was young her Parents remov'd out of Spittle-Fields to the Mint in Southwark, and as she grew up she learn'd the Weaving Trade, Weaving Stuffs, and might by it have gotten a pritty Livelyhood, but being Vicious and Lewd, had before brought her self under the Hand of Justice, being once or twice order'd to the Work-house for picking of Pockets, which was the chief Business she had follow'd for several Years; that she had been Married to one who had another Wife, whose Name was John Cole, *alias* Cranfield, who was now under Condemnation with her for stealing a Woman's Pocket, but he obtained a Reprieve on condition of Transportation; that tho' he was alive she was Married to another Husband, an honest Person in White-Chappel: As to the Facts she stood Condemn'd for, she deny'd them to the last, and as the Ordinary saith, was both Ignorant and Obstinate.

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William Awdley said he was 18 Years of Age, born in Flower and Dean-Street near Spittle-Fields, that his Business was Drawing to Silk Weavers, that growing Loose he ran away both from Master and Parents, and for the 6 Years before had follow'd very ill Courses, his chief Business being to Pick-Pockets, for which being found Guilty, he was once sent to the Work-house in Bishop's-Gate-Street, and another time to London Bridewell; but these Punishments wrought no Reformation on him; he also deny'd the Fact he was to Die for, and show'd but little Sign of Repentance. They were Executed at Tyburn in company with John Mullins, alias Colethurst, for Robbing on the Highway, George Brown for Felony, Samuel Cole, alias Valentine Newel for Housebreaking, Henry Abbot for the same, James Violet, alias Filewood, for Stealing Pockets, October 21, 1718.



Ralph Emmery, alias Emerfly.

**H**E was indicted for breaking open the House of *David Manson* in the Night time, and stealing divers Goods to a considerable Value, the property of *Mary Manson* the 9th of February last was 12 Months, the Prosecutor deposed her Shop was broken open and her Goods stolen on the Night

## Ralph Emmery. 275

Night aforesaid, but could not say the Prisoner did it. *Edward Ash* deposed that himself, *Christopher Ward*, the Prisoner, and *Jasper Anderson* did the Robbery, but there being no concurring Circumstances to corroborate *Ash's* Evidence the Jury acquitted him.

He was indicted a second time, for that he together with *Paul Crony*, not yet taken, did Murder *Nathaniel Asser* on the 29th of June 1718.

He was likewise indicted a third time, together with *Mary Garret*, that he did with *Paul Crony* Rob the said *Nathaniel Asser* of 10 Guineas, 2 Gold Rings, &c. and *Mary Garret* for receiving a Ring of the said *Nathaniel Asser's* knowing it to be stolen. Mr. *Worcester* the High-Constable deposed, that he made diligent Enquiry after the Murtherers of Mr. *Asser*. had got Intelligence of some Persons, and among others of the Prisoner, and did get him secured the first of July last; but not being able to get Evidence against him, he was then discharged. Mr. *Chapman* deposed, that he going to the Prisoner when in Custody, and telling him he had then an Opportunity of discovering the rest of his Accomplices, and saving himself by being an Evidence against them; he fell to cursing him in a very outrageous manner, saying G——d D——m him twenty times over,

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over, and the High-Constable too; he should see them all in Hell; did they think to pump him? No G——d D——n 'em, they should get nothing out of him. *John Baker* Constable, *Augustin Brown*, *Thomas Rose* and *Cloudsley Chadwick*, Watchmen, deposed that a Person bringing Intelligence to the Watch-house on the 26th of *October* last, that *Ralph Emmery* was at the House of one that is called *Snuffling Joe* in *Star-Court*, they went thither to apprehend him, and there found him in Bed with three or four more, and carrying him to the Watch-house, they did hear him say he was a dead Man——that as to the Murder he was clear of that; but as for the Robbery——(here he paused.) *Oliver Fen* deposed, that himself, *William Awdley*, *Paul Crony* and the Prisoner, having been drinking all Night before the Murder, went in the Forenoon to *Salt-Petre-Bank*, and having drank there also, went out into the Fields; that they there met *Sarah Brown*, (since Executed for the same Fact) who asked them if they would stand true, telling them there was a Gentleman lay Drunk near the Half-Way-House to *Stepney*, who had two Rings on his Finger, and was full of Money; that upon that they went to him, and *Sarah Brown* pickt his Pocket of 8 or 10 Guineas, and *Ralph Emmery* pull'd off one Ring, at which the

Deceased



Deceased snatch'd his Hand back ; where-  
upon the Prisoner said to *Will. Awdley*,  
G——d D——m him, knock his Brains  
out, upon which *Will. Awdley* (since execu-  
ted for the same) took up two Stones and  
hit him on the Head : that *Paul Crony* took  
off the other Ring : that then the Prisoner  
searched his Pockets, took out a Paper of  
Coffee and a Pocket Book, and saying they  
were all Quere, put them in again, then  
turning him on his Face he fell a bleeding  
at the Nose. The Prisoner in his Defence  
said, that he had indeed been with *Oliver  
Fen, William Awdley*, and *Paul Crony*, drink-  
ing together all Night, as *Oliver Fen* had  
deposed ; that they did afterwards go to  
*Salt-Petre-Bank*, and thence went out into  
*White-Chapel-Fields*, that there he and *Will.  
Awdley* being very sick, lay down to sleep ;  
that *Oliver Fen* and *Paul Crony* were met  
by *Sarah Brown*, who ask'd him if he would  
stand true, which he not knowing but she  
might mean to live with her, she explained  
her meaning, telling them there was a Gen-  
tleman who had Rings and was full of Mo-  
ney lay in such a Place ; that they went ;  
but he and *Awdley* having slept three Hours  
went to *Salt-Petre-Bank*, and a Woman  
there ask'd them were they had been, told  
them *Oliver Fen* and *Paul Crony* had *Bit a  
Blow*, and got two Rings and a Hat ; that  
then *Oliver Fen* and *Paul Crony* carried them  
and

and shewed them the Deceased, whom he saw lying near the Bank; that he hastened away, saying, he would not stay, least any body should come and they should be taken up for the Murdering him. The Jury having fully considered the Matter, found him Guilty of both Indictments.

As to *Mary Garret*, who was indicted for receiving a Ring of *Mr. Asser*, knowing it to be Stollen, *Mr. Worcester* deposed, That he having made Enquiry for the Ring at all the Goldsmiths from *Ratcliff* to *St. Giles's*, at last having gotten some Intimation of the Prisoner's having it, he found her out, and did endeavour to make some Discovery of the Murther of *Mr. Asser* thereby; but found her obstinate and at first would own nothing, nor that she had the Ring; at last she did own she had such a Ring, but that it was pawn'd, and promised to procure it, and bring it to him at three a Clock that Day; but she came not: That then she appointed another time, but came not; and at last her Son-in-law, where she lodg'd, came and told him his Mother did abscond; but as soon as he could procure it, he should have it. That at last having conceal'd herself several Months, when she heard that the matter was fully discovered, she sent the Ring by her Son-in-law to *Mr. Asser's* Widow, who produced the Ring in Court,  
and

## Jacob-William Harris 279

and swore it to have been her deceased Husbands, and deliver'd to her by the Person aforesaid. The Prisoner pleaded she bought the Ring of *Oliver Fenn* for 5 s. and that she knew it not to have been stolen; but that he told her he had won it at play: And it not being prov'd that she knew it to be stolen, she was Acquitted.



### The T R Y A L, &c. of Jacob-William Harris alias James Simpson,

**H**E was indicted for a Misdemeanour, in that he did deliver several counterfeit Letters to Colonel *Westal*, to Mr. *Thomas Ambrose*, and Mr. *Ludlam*, Chamberlain of *London*; pretending the Letters to have been written by the Honourable *James Craigs* Esq; Secretary of State; by which means he did obtain several Sums of Money for the Printing and Publishing a Book intituled *A History of the Royal and Illustrious House Hannover, &c.* Colonel *Westal* deposed, The Prisoner came to him and produced a Letter under a Cover directed to him, which was signed *James Craigs*, the Purport of which was to desire him to encourage the Printing, &c. of the Book

Book above mentioned, signifying that he, Mr. Secretary *Craigs*, would take it as a Respect shewed to him; that he thereupon asked the Prisoner whether it was Mr. *Craigs* the Post-Master, or his Son, to which the Prisoner reply'd, It was his Son the Secretary of State; that he thereupon gave the Prisoner a Guinea, that the Prisoner gave him a Receipt in the Name of — *Pemberton*, and that tho' he design'd to have kept the Letter, yet he found the Prisoner had shuffled it away among some Papers that he then had. Mr. *Thomas Ambrose* deposed, The Prisoner came to him with the same Pretence, and talk'd of a great Work carrying on by one Sir *William Bilk*, or some such Name, and he having given him a Guinea, he kept the Letter, the Prisoner went away, and returning again desired the Letter, saying that he having lost a Letter that was for another Gentleman, that would serve being put under another Cover, so he let him have it. Mr. *Ludlam* deposed, That he came to him as to the others, and he suspecting him, ask'd him if that Letter was writ by Secretary *Craigs*, to which he reply'd it was; but putting the matter home he began to boggle, saying, he could not certainly affirm a Letter was writ by a Person unless he had seen him write it. He thereupon secured both the Letter and the Prisoner,



Prisoner, and gave notice to Mr. Secretary *Craigs*, by which means the Forgery was discovered. His Examination at the Secretaries was read in Court; wherein he had acknowledg'd the Fact, and named several other worthy Persons from whom he had got Money by the same fraudulent means; owned that he had formerly suffered the Law for an Offence of the like kind; that the Intrigue was carried on by *Michael Conner*, and himself, yet had effrontery enough to deny the Facts, and to behave himself very saucily and impudently before the Court. The Jury however found him guilty of the Misdemeanour, and he was sentenc'd to stand in the Pillory, to suffer 6 Months Imprisonment, and pay a Fine of 20 Marks.



The T R Y A L, &c. of  
Jacob Wykes, and John Johnson.

They were indicted for a Rape committed on the Body of *Ann*, Wife of *Michael Cooper*, of 27 Years of Age, the 31<sup>st</sup> of *May*, that he the said *Jacob Wykes* did against her Will ravish and Carnally know her the said *Ann Cooper*, and that *John Johnson* was present Aiding and Assisting.

ing. *Ann Cooper* depos'd, That on the Day aforesaid, she being desired by one *Mrs. Shouler* to go to *Jacob Wykes's* House, at the *Globe-Tavern* in *Drury-Lain*, in order to send for one *Capt. Hacker*, to desire him to send two Guineas to *Mrs. Shouler*; she accordingly went about 7 a Clock in the Afternoon to the said *Wykes's* House (who she said had kept a Bawdy-House in the *Hundreds of Drury*; and being asked by the Court, how she knew it to be a Bawdy-House, replied, She had occasion enough to know it to her Sorrow) and that when she came thither there was no body in the House but *Wykes* the Master, *Johnson* the Drawer, and a Porter, whom she desired him to send to the *Italian Coffee-House* for Captain *Hacker*; that *Wykes* asked her to go into a Room, and carried her into a back Room, and the Drawer brought her half a Pint of Wine, and then in came Mr. *Wykes*, saying, Madam, I have sent for Captain *Hacker*, and takes a Glass of Wine and drinks, and going to the Door double lockt it, comes to her and says *Madam, G—d D—mn my Soul, I must lie with you*: To which she replied, He should not; but he swore he would, and fell to struggling with her, and she was down upon the Ground striving, and crying out till she was dead almost; that she still resisting, and crying out he hit her several Blows on the Face,

Face, stopp'd her Mouth, held her by the Throat; and she at last recovering herself upon her Knees, but being quite spent with striving and crying out, he flung her cross a low Table and did lie with her there, the Drawer, *Johnson*, all the while holding the Door on the out-side. That having done, the Drawer opened the Door, and she desired him to call a Constable, but he said, *Damn her for a Bitch, not he; if You make such a Noise I'll kill you.* But he afterwards came to her House, and on his Knees begg'd her Pardon, telling her his Master hired him to do it. Than not being able to get a Constable, she went away crying with her Clothes tore, and a Mob after her, the next way to *Exeter-street*, to one *Mr. Cater*, a Constable, telling him how she had been used: but he refused to go without a Warrant, and so she went to the Justice's and got a Warrant; and that *Mr. Cater* had told her he desired her to meet him to make it up. To prove this she call'd the Evidences following. the Constable, depos'd, That she did come to him on *Saturday Night*, the Day laid in the Indictment, telling him that the Man at the *Globe-Tavern* had lyen with her whether she would or not, but he thought he was not safe to go without a Warrant. On the *Thursday* following *Mr. Wykes* came to her, she said he had struck her twice, but he denied that he had either lyen with her or struck her, but said  
if

if he had done her any Harm he would ask her Pardon, saying indeed he was drunk, and he gave her 10s. for tearing her Smock. *Hugh Reason* depos'd, That he was at *Cater's* House, and she told him she had been abus'd by *Wykes*, that he wanted to lie with her, and force her Body, that he had struggled with her and bruised her Arm: but he said he knew nothing of the Matter.

*Robert Neal*, Clerk to the Justice, depos'd, That she came on *Saturday* Night between 9 and 10 a Clock for a Warrant, snubbing and crying so that she could not for some time speak, and tell him what she came about; she gave an Information against the Prisoner, that he did lie with her upon the Table, and more, as in the Information, That when she came her Clothes were much rumpled, her Arms bruised, and, as she said, was hurt in other Parts, which he did not inquire into. He added, that he was inform'd that the Prisoner had gone from his House that Night, and was not taken till 5 Days after. *Joseph Gamble* depos'd, That when she came Home her Gown was torn, all the Sleeve off, her Apron and her Smock torn, her Arms Black and Blue; that she told him she had been used by the Prisoner as has been before declared, and that he threatned that if she did make a Noise he would Murther her. He being ask'd by the Court as to her Character, said,



said, she had lodg'd with him five Months, had always behaved her self very modestly, and he never knew any thing to the contrary, that had she been otherwise she should never have come into his House, that she was one who always kept very good Hours, had no Company resorted to her, worked very industriously at her Needle, and as he had been inform'd, had a Husband at Sea, who sent her sometimes 10*l.* sometimes 30*l.* at a time. *Margaret Clark* depos'd, That the Week following when she saw her, her Arms had several Marks, which she said came by her being so misused by the Prisoner; the same was confirm'd by one *Ann Clarke*.

The Prisoner *Wykes* pleaded, That indeed she came to his House on the Day aforesaid about 4 or 5 a Clock, that she enquir'd for Capt. *Hacket*, he sent for him; that she went into a Room about 5 Foot from the Bar, that the Door was open all the while, and his Wife in the Bar, that Company calling above Stairs, he did go into the Room to her, and that she having drank one Half-Pint of Wine call'd for another, and having paid for two Half-Pints, went away without making any Noise. The Porter depos'd, That he was in the Entry all the time she was there, and the Door open all the while, and that his Mistress was in the Bar or Bar Room all the while. The Prisoner then call'd Person to her Character,  
Mr.

*Mr. Jennings* depos'd, That she was a Common Woman, that made it her Business (as they call it) to Trap People, by pretending to be with Child by them, be Ravish'd, &c. that he thought there was not so notorious a Woman upon the Face of the whole Earth; that she had indicted one *Mr. Butler*, a Gentleman in the Fleet, on such an Occasion, and that he had produc'd no less than 37 Evidences against her. That she had arrested a Person for a Bastard Child, and at the same time own'd that she was not with Child, that he offering her 2 Guineas and a half to make it up, she swore d—mn him, had it not been for him she would have got root. of him.

*Daniel Singleton* depos'd, That by relation, she had ruin'd half a hundred Families, and had employed him and his Partner to arrest a Man for a Bastard Child, and while his Partner was gone, he being with her, she took his Hand and put his middle Finger of his Right Hand to her Body, and directed him, &c.

One of the Officers of the Court depos'd That she was the oldest Bite and oldest Whore in Town, that she had ruin'd several that he knew, and made them run away from their Families.

*John Scot*, another Officer, depos'd, That she had been a Common Woman of the Town for some Years, has been sent to the Work House, &c. *Joseph Short*, another, depos'd, That she had by such Stratagems got a Note of a Silver-smith of his Acquaintance and he was forced to get a Warrant for her to make her deliver it up. In answer to this, she affirmed to the Court, she was Innocent of all as an Angel in Heaven. Upon the whole, the Jury acquitted both the Prisoners.

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The T R Y A L of John Oldfield alias Ofey.

**H**E was indicted for breaking the House of *Edmund Plumridge*, on the 10th of *April* 1718. at Night, and stealing divers Goods to a considerable value. *Mary Plumridge* deposed, That the House was broken through, and a Window, that there were four of them who did it; that two Men came to her Bedside with Pistols, threatning to shoot her if she did not discover where her Father's Money lay; broke open several Locks in her Room, and took what they pleased; she telling them she did not know of any Money, they went away to search in other Rooms, threatning her that if they found any Money they would certainly kill her. Then they went into the Maid's Chamber and broke several Locks there, took what they pleas'd, and threatned her if she made any Noise they would Murther her. Then they went into her Father's Room, an ancient Man of Fourscore Years of Age, and threatened him to make him discover where he had any Mony, and fired a Pistol at him which discharged a Bullet through a Flannel which was wrapp'd round her Father's Head, and though it did not go through his Head, yet it hurt his Forehead and fetch'd some Blood: That then one of them came into her Chamber again, and took her Pocket which hung by the Bedside, wherein was about 19s. and put it in his Pocket: That after they had been in the House about two Hours they went away, carrying with them what they thought fit: But she being in a Fright could not swear positively the Prisoner was one of them. *Ann Conner* deposed, That two Women lodg'd in her House, to whom *Patrick White* and *Matthew Hunt* used to come,

and owing her some Money, and she urging them to pay her, they desired her to be patient, telling her there was an old Man lived at *Hammersmith* where was only his Daughter and the Maid in his House, that he had a great deal of Money, and they were to go thither, and would soon pay her, saying there was another or two to meet them: To which she repy'd, Then perhaps they'd be taken and hang'd: That the next Morning about 10 a Clock, a Sack was brought in by the other Men and the Prisoner, full of divers sorts of Goods, several of which she saw, and two Silver Spoons and a Cup which was given her to sell to pay her Debt, which she did sell; that the Spoons were marked with the first Letters of the Prosecutor's Name, one of which she got from the Goldsmith again, and was produced in Court, and owned by the Prosecutor, as was the Sack the Goods were in, and some other things: That when they were in the Room (the Prisoner being present) she heard one of them say, how hardy the old Dog was, that would not tell where his Money lay, though we shot at him. That she not knowing where the Robbery was committed, goes to *Covent-Garden* Market, and upon enquiry found out where the Prosecutor liv'd, and gave him notice. The Prisoner call'd several Evidences to prove that he being a Grenadier was then upon Guard at the very time that the Robbery was committed, but the Evidence not satisfying the Jury they acquitted him of the Burglary, but found him guilty of Felony. The bringing of the Goods to *Conners* House, and the Prisoner being one of them was confirm'd also by another Evidence. He was Transportated. *The*



*The* T R Y A L S, &c. of  
Edward Bird.

**E** *Edward Bird*, of *St. James's Gent.* was indicted *Jan. 10, 1719.* for the Murder of *Samuel Loxton*, by giving him one mortal wound with a Sword, on the right side of his Body, between the first and second Ribs, of the breadth of half an Inch, and depth of 12 Inches; of which he immediately died. He was indicted a second time on the Coroner's Inquest for the same; and likewise a third time on the Statute of Stabbing.

*Thomas Baberton*, alias *Vernassel*, deposed, That on the 25th of *September* last, the Prisoner came to *Mr. Seedwell's House* at the *Bagnio* in *Silverstreet*, together with a Woman, in a Coach, bringing with him a Bottle of *Champaign Wine*; and that *Samuel Loxton*, the deceased, waited upon them; that they went to Bed, and lay till about two a Clock, and then knocking, the deceased went up, and coming down, said, the Prisoner demanded a Bath, and that he being then Cupping a great Gentleman told him he had almost done, and he should have one gotten ready as soon as possible; that *Loxton* came down again, and told him, that the Gentleman Damn-

ed him and Cursed him, telling him, he would have one that very Moment, and had threatned and attempted to kill him; that then the Prisoner still keeping a knocking, he begg'd leave of the Gentleman he was Cupping, to go up to him, the deceased being afraid to go; that he went up, and told him that he should have a Bath presently; he had set the Cock a running, and it would be ready in the 8th part of an Hour: That the Prisoner said, *G - d D——mn you, Sirrah, I will have it this Moment*; and getting out of the Bed, made 8 or 10 Passes, which he avoided by holding the Door in his Hand, and pull'd it too; then hearing him either let his Sword fall or throw it down, he ventur'd to open the Door again to pacify him; but the Prisoner run after him and flung him down Stairs, and broke 3 or 4 of his Ribs; that his Mistress hearing this, enquir'd what was the Matter, and calling her Maid, sent her up to the Prisoner to ask him why he would kill her Servants? To which the Prisoner reply'd, *G--d D——n you for a Bitch, if I could come at you, I would stick you first.* That then his Master, Mr. Seedwell got up, and Mr. Seedwell, and Mrs Seedwell, and himself, and the deceased, went up to the Prisoner all together; that Mr. Seedwell went in first; that the deceased went in next

next; that he follow'd *Loxton* with a  
a Candle in a low Brass Candlestick, in  
his Hand, and Mrs. *Seedwell* follow'd him,  
and stood just at the Door; that Mr.  
*Seedwell* stood by the Bed-side, and the  
deceased at the Bed's feet; that he stood  
behind the deceased, and Mrs. *Seedwell*  
at the Door behind him; that they had  
none of them any manner of Weapon,  
Sword, Stick, Cane, or any thing, saving  
a Candle and Candlestick; that there  
Mr. *Seedwell* expostulated with him thus;  
*For God's sake, Sir, what is the Matter?*  
*What have my Servants done? If they have*  
*offended you, I will punish them before your*  
*Face; you shall have any Accommodation*  
*in my House; but if you cannot be easy here,*  
*I will provide you either Coach or Chair to go*  
*where you please, and ask nothing for what*  
*you have had; but I beg of you not to make*  
*a Disturbance; I have several Persons of*  
*Consideration in my House, you will do me a*  
*Prejudice.* That the Prisoner being still  
very outrageous, without any other pro-  
vocation, immediately started up in the  
Bed, and taking out a Sword, which lay  
naked on the left side, the Woman lying  
on the right, and raising himself up griping  
the Sword, made two Stabs at him, at  
the second of which he stagger'd a little,  
and fell backwards against him, never  
speaking one Word, but died immediately;

and that the Deceased was found with a pinch of Snuff betwixt the Thumb and Finger of his right Hand; as he lay dead on the Ground. Mr. *Seedwell* said, as to the manner of the Fact, what the Evidence had deposed; adding, that when he expostulated with him why he should kill his Servants; he reply'd, *G--d d--m you, I'll kill you all*: And that they had considerable struggling with him before they could disarm him, he endeavouring to have killed them all; that the Woman lay still, and did not say or do any thing.

Mrs. *Seedwell* confirm'd the generality of what had been before deposed; adding, That when she sent up the Maid, she bid her give Her and her Master's Service to him, and tell him they would both wait upon him themselves immediately; and that the Maid came down, and when she spoke of her Husband's going up, the Maid reply'd, Madam, the Gentleman says he will Murder my Master: And she added, that when he had kill'd the Deceased, they were endeavouring to take his Sword, and he having it under his Arm, made thrusts to wound any that should happen to be behind him.

The Surgeon deposed, That he being sent for, found the deceased quite Dead; and searching, found two Wounds, one  
in



in his Breast, slanting 5 or 6 Inches, but did not penetrate ; but another, betwixt the first and second Ribs, that penetrated the Body and Lungs four Fingers deep, and he did verily believe was the Cause of his Death

A Farrier at *Putney*, deposed, That about two Years before, the Prisoner brought his Horse to him, and requir'd him to pare down his Hoofs after an unusual manner ; which he refusing, the Prisoner drew his Sword and run him quite thro' the Body.

The Prisoner in his Defence, pleaded, That being to go out of Town the next day, he lay at the *Bagnio* to prevent the trouble that getting out early in the Morning might occasion to the Family ; that about 2 a clock he desired a Bath ; that the Waiter coming to him, told him he should have one ; and at other times told him he should have none ; that he went away and lock'd him in, and in about a quarter of an Hour, they all came up and said he should have no Bath, but be turned out into the Street that Moment ; that he refusing to go, they all surrounded the Bed, laid Hands on him, tore his Shirt, and the Deceased gave him several blows which bruised him very much on his Side, Arm, and on his Knuckles ; that he thereupon thinking Mischief was de-

signed him, drew his Sword to defend himself; and the Deceased repeating his Blows, and unfortunately falling, or stooping toward the Bed, this unfortunate Accident happen'd to a Man that he never had any Differerce with before In proof of which he called the following Evidences.

*Susannah Webster* deposed, That she being at the Place aforesaid, the Prisoner about Two of the clock in the Morning, knock'd and wou'd have a Bath, but the Waiter made Answer, that there was a great Gentleman in the Bath, and he could not till Five in the Morning, and then he would call him; that he saying he would have one presently, the Waiter reply'd, *G--d D--m him for a Rascal, he neither could nor should have any.* To which the Prisoner reply'd, that Gentlemen were not to be so abused; that upon this he arose and push'd the Waiter out of Doors; and that the Man at the Beds-foot struck the Prisoner, and she heard an outcry of Murder, and was afraid they should both be murdered; and that she saw the Prisoner rise up in his Bed, and two Men holding him; that when the Deceased lay dead on the Ground, he had a dark colour Cane hanging on his Wrist by a black String, but she knew of no Sword in the Bed, nor saw any Wound given.

*Eliza-*

*E'izabeth Ross* deposed, That she lodging that Night at the *Bagnio*, and hearing the Disturbance, went to the Prisoner's Room, and saw the Deceased lying on the Floor, and a Cane lying by him in the Room, and a Faggot-stick upon the Stairs, hard by the Door of the Room; which last Circumstance as to the Faggot-stick, was also confirm'd by another Evidence. *Tho. Walker*, who succeeded the Deceased as Waiter at the *Bagnio*, deposed, That a Gentleman that came to the *Bagnio* and enquired into the Circumstances of the Fact, being shew'd the Room in which it was done, examined the Door and Wainscot, and could not perceive any Marks of the 8 or 10 Passes made against it by the Prisoner, as had been deposed by *Tho. Baberton* alias *Vernassell*; and that he discoursing with *Baberton* about the breaking of his Ribs, seeing him stript, saw no Mark, or appearance of any such thing; and, that *Baberton*, when he asked him why he did not apply something to them, said, they were not broke, but bruis'd. And, as to the Deceased, besides an ill Character, said, that he used to be abusive to Gentlemen; had been wounded not long before; as the Prosecutors could not deny. The Prisoner call'd several Evidences to prove that his Shirt was very much torn.

This was confirm'd by the Constable and Watchmen that apprehended him, and also was produced in Court. He also called the Constable and Watchmen, and several other Evidences, who deposed, they did see a bruise on his Arm, and also a hurt upon his Knuckles; and that they were bloody. He likewise called several Persons of Credit and Worth to his Reputation and peaceable Demeanour, who gave him a very good Character. He also observed, that little Credit was to be given to the Evidence of *Baberton* alias *Vernassel*, who had swore, that three or four of his Ribs were broken, when it was sworn by another Evidence, that he himself owned his Ribs were not broken, but only that he was bruised; and that he owned in Court, that he never had made use of any Surgeon, &c. on that account. Upon the hearing of the whole Matter, the Jury found him guilty of all the Indictments, and he received Sentence of Death accordingly. Before the receiving of which, being ask'd what he had to say, why Judgment should not pass upon him according to Law, he spake to the Court as followeth.

*I submit my self to your Lordship and this Honourable Bench; and I beg only your honourable Favour and Regard, that as the Witnesses for me swore positively to my being*  
*Assaulted*



*Assaulted, and that the Jury (to my great Misfortune) were not pleased to give Credit to the same, your Lordship will make the most favourable Interpretation of it. But above all, I desire your Lordship's Notice, that there were many manifest Contradictions in Vernassell's Evidence, and I may say Impossibilities in other of their Witnesses; besides his denying on my Tryal, that he did double-lock the Door, which he swore he did before the Coroner, makes me with Reason believe my Life has been maliciously sought; for I call God to Witness, I did not offer the least Violence to the Deceased, till after I was struck and ill used by him. I submit my self to your Lordship, and hope you will make such favourable Report to his Majesty, as may not obstruct, but leave room to apply to his Wisdom for Mercy.*

*This PAPER was deliver'd to his Friends the Morning before his Execution.*

**I**T will be expected that I should say something at this time, as to the Fact I am going to suffer for.

I do not pretend to say, I did not kill the Deceased; but humbly conceive, that both the Laws of God and Man will justify Self-defence; which I call God to Witness, into whose Arms of Mercy I am now going to throw my self, was my Case.

Unhappy is that Gentleman who falls into such Hands; for there was not one Evidence for the King that was not manifestly Perjur'd, as I have faithfully set forth in my printed Case, with all the Justice a Person expecting nothing less than Death, was capable of. And it is also as evident, that the proper Evidences on my side were never call'd: I wish I could perswade my self that Mismanagement did not proceed from the Infidelity of my Attorney, employ'd in my Tryal: For it appears but too evident, that he never made one regular Step towards my Interest; and, I wish I could aver, that he did not arm my Enemies against me.

After all this, His Majesty, in his great Wisdom thought fit to grant me a Reprieve, and order'd me for Transportation; but the restless Malice of my Enemies would not fix here.

The *pretended* Widow of the Deceased lodges an Appeal against me. How she had a Right so to do, I leave those Gentlemen learn'd in the Law to determine: Yet this, with her fallacious Petition, found entrance to the Royal Fountain, and turn'd that former Stream of Mercy from me; causing His Majesty to recede from his first Decree of Mercy,  
and

and order my Execution; under which Sentence I still, with all Humility, submit.

Another Reflection, I am credibly inform'd, is cast upon me, in order to make my Load the greater; which is, That I was frequently visited, during my Confinement, and even since my Conviction, by lewd and infamous Women. I cannot say that I have not been visited by divers Women; but do not know them to be such: Some of them were Relations, and other Persons, who had Business with me relating to my unhappy Circumstances. What will not Malice invent.

There is one thing more which I omitted in my printed Case, relating to my Adversary's Evidence; deposing, That the deceased *Loxton* fell without the Door: Which I declare solemnly, is utterly false; for what was done was in the Room; I was not off from my Bed when the Accident happen'd; and that when he drop'd, he fell backwards upon the Bed.

I might take notice of many more false Aspersions, but will omit them; having, I thank my God, forgiven them all.

In the next Place, it will be expected: that I say something of my Religion.

I declare, That I die a Protestant, and of the Communion of the Church of *England*, whose Doctrine teaches me to forgive my Enemies; which sincerely I do: Humbly begging, at the same time, that all those, who through Inadvertency, heat of Blood, or any juvenile Folly, I have offended, will do the same by me.

As for the manifold Reflections cast upon me since my Confinement, the pretended Widow's violent Prosecution; the Farrier's notoriously false Affidavit, and all other Offences committed against me, I heartily forgive them

And to conclude, I wish all Gentlemen would only weigh the fatal Cause of my unhappy *Exit*, and avoid all such Houses where the Scene of this Misfortune was first laid: Let me be an Example to them, to avoid those Rocks I have split upon; that they may, with less difficulty than I have found it, be able to compose their Thoughts, (which I thank God I have done) through the assistance of his divine Spirit, and sink into a willing resignation to his divine Will.

*Edward Bird.*



*The Ordinary of Newgate his Account, &c.*

**H**E was aged about 27 Years, said to be born of wealthy Parents, at *Old Windsor*; was well brought up by them; who gave him a Christian and Gentleman-like Education. They put him early to the Care and Instruction of the late Reverend Dr. *Busby*, Master of *Westminster School*; and thence, when pretty well advanc'd in Learning, remov'd him to *Eaton College*. After some stay there, they finding his Inclination was to see the World abroad, fitted him out for his Travels; and then he made a Tour into *France*, and went also into *Italy*, &c. When he had spent some time abroad in foreign Countries; and seen variety of Things, he return'd into *England*, and not long after had a Lieutenant's Commission in the Regiment of Horse commanded by the Marquess of *Winchester*. Before this, he had in great measure, given himself up to a vicious course of Life; and his evil Inclinations growing stronger in him, he at last abandon'd himself to all manner of Lewdness and Debauchery.

While I was laying these things and, many more of a heinous Nature, before

fore him, telling him, that the World abroad rung of them, he deny'd them not ; but said, he was not guilty of *Murder*, the Crime he stood condemn'd for ; and that, as to other Sins, he had begg'd Pardon of God for them, and did not doubt of his Mercy. I offer'd to pray by him in his Chamber ; which I did, when he gave me leave ; but very often he desir'd me to spare that part of my Service, because he was very busy ; was to write Letters ; expected Company ; and such like Excuses.

All the time he was under Confinement in *Newgate*, I could not perswade him to come to Prayer, and hear the Word of God in the Chappel, which he might have had an opportunity to do twice every Day for the most part of that time ; which was between the 26th of *September* last, and this Day of his Execution. And the Reason of his so long Confinement before he was brought to his Trial, is this.

When he should have been try'd at the Sessions held in the *Old-Baily* in *October* last, he pleaded he was not ready for his Defence, and so his Tryal was put off to the next Sessions, to be held in the Month of *December* then following. But before that time came, he falling sick, and the Physicians, who visited him,  
making

making Affidavit, that he was not in a fit Condition to be remov'd out of his Chamber, the Court did again defer his Tryal to the Sessions, beginning on *Thursday* the 15th, and ending on *Monday* the 19th of *January* last. Then he was arraign'd, try'd, and convicted of *Murder*, and accordingly receiv'd Sentence of Death.

After this, I repeated my Visits to him, and desir'd to have been more frequent than before in them; but I found him always so busy, sometimes in Writing, and at other times with Company, that I could hardly have any opportunity to speak to him of his future State. To this he seem'd to give a little attention; but something coming into his Mind, which he said he must do presently, he desir'd me to leave him; saying he would send for me another time, when he was at leisure. Accordingly he did: But when I came to him, I found he had not sent for me to pray by him, or discourse him about divine Matters, but only to shew me the Draught of a Paper, which, he said, he had prepar'd by the help of a Friend, and which he intended to publish. Upon this, after I had (as he desir'd I should) read it, I told him plainly, the drift of that Paper being to insinuate that he had not Justice done him at the  
Tryal,

Tryal, he must not think that the World would believe him to be (as he endeavour'd to appear) innocent of the *Murder* he was condemn'd for.

Having freely declar'd my Mind to him in this Matter, that I thought him justly convicted of that *Murder*; and that I would advise him to reflect upon none but himself, who would certainly (if he did impartially consider the thing) acknowledge his Guilt, and repent of it. At this he seem'd to be uneasy: But I told him, That tho' I was very unwilling to offer any thing to a Gentleman that might grate upon his Spirit, or be unacceptable to him; yet it was my Duty to make his Sins as odious to him as I could, in order to bring him to a just abhorrence and detestation of them; adding, That if he would please to consider the vicious Steps that had led him to this barbarous Crime, he would find abundance of Sins (besides this) to repent of; Which he must do before he dy'd, or else be eternally undone. To this he said but little; and so I left him at that time.

When I came to him afterwards, sometimes (if it was in the Morning) he desir'd me to come in the Afternoon: And, if in the Afternoon, to come the next Morning: So he did industriously endeavour



your to trifle away his Time, and set aside all Thoughts of his approaching Dissolution.

On the *Saturday* before his Execution, I exhorted him to come the next day to Chappel, and apply himself entirely to holy Meditation, Prayer, and hearing the Word of God with due Attention and sincere Devotion; but I could not persuade him to come, nor indeed at this time, to let me pray by him; he alledging, his Head was so full of *other Matters*, that he could not mind any thing else: And those *other Matters* (which related to his Tryal) were contain'd in a printed Proof of a paper (not that before-mention'd) which he shew'd me, and which he said he was now correcting, in order to be put to the Press.

On the *Sunday* I visited him in his Chamber, and did the like this Morning; when understanding that he had the Night before took a dose of Poison, and after that, stabb'd himself in several places, I told him, that I was sorry to hear he had added Sin to Sin, by attempting to commit a fresh *Murder*, and that too upon himself. To which he reply'd, That *he did not think it a Sin, because he must die*. Whereupon I endeavour'd to make him sensible he had no Power over his own Soul; and, that by this he put him-  
self

self in danger of carrying his Guilt unpented of into another World.

He was carried to the Place of Execution in a mourning Coach (wherein he had stay'd about an Hour with his Mother). After his arrival there, I gave him some Exhortations, sung a penitential Psalm, made him rehearse the Apostle's Creed; and then wishing him *that Life* he had made Profession to believe, retir'd from him.

One of the three *Clergymen* that went with me to see the Execution, did step into the Cart, when I was come away, but could work no good upon him; who, instead of applying himself to his Devotion, and desiring the Spectators to pray for him, and take Warning by him, turn'd himself first one way, then another, and call'd for a Glas of Wine; but being told *it could not be got there for him*, he desir'd a *pinch of Snuff*; and taking it, bow'd to the Gentlemen near the Cart, and said, *Gentlemen, I wish you Health*. After this, he was ty'd up, turn'd off, and bled very much at the Mouth or Nose, or both. And, after having hung the usual time, was put into a Coffin, and carry'd away in a Hearse.

*Monday Feb.*

23. 1719.

*Paul Lorrain, Ord.*

*The*

*The T R Y A L S, &c. of*  
*Jasper Arnold, and Will. Goddard.*

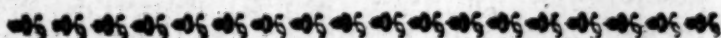
**J**asper Arnold, and William Goddard, of St. Andrews Holborn, were Indicted at the Old-Baily, December 5. 1718. for a Trespass, in tearing two Leaves out of the Register-Book for Marriages, belonging to the Church of St. Andrew Holbourn. The Evidences deposed, That Goddard having been married there in the Month of June, 1711, to one Rachel Small, and afterwards marry'd to another, his first being alive, they were employ'd to take out a Certificate of the Marriage; and finding it entred in the Register, did so; but that going about a Fortnight After to search the Book again, found no such entry then: Upon which they apply'd themselves to Mr. Hopley, Dr. Sacheverel's Clerk, desiring to know what was the Reason, that whereas, there was but a little before, in the Register-Book, an Entry of the Marriage of thesaid Goddard with Rachel Small, in the Month of June, 1711, there could none be found now. Mr. Hopley depos'd, That upon this occasion, he examin'd the Register-Book, and could find no such Entry, but observ'd that there was a vacancy in the Book from the 30th of May, to the 1st of July; so that it appear'd that a whole Leaf had

had been taken out; and that the Leaf that answer'd to it was gone also; and made a vacancy from the 21<sup>st</sup> of *February*, to the 27<sup>th</sup> of *March*; which making him very uneasy, he acquainted Dr. *Sacheverel* with it. He depos'd, That *Faffer Arnold* was his Deputy, and under Clerk of the *Temple*, and us'd to have free recourse to the said Register-Book, at all Times, to enter or fill up, in his Absence; and that he questioning him about it, he deny'd it with Oaths and Imprecations. The Doctor then sent for *Thomas Herring*, who told him, That *Arnold* told him he had tore out the Leaves. and had a Note of *Goddard's* Hand of 5*l.* for doing it: That thereupon *Arnold* being urg'd to confess the Truth, did acknowledge it, and show'd the Note for 5*l.* that *Goddard* had given him, and said, that *Goddard* had burnt the Leaves. Another Evidence depos'd, That *Goddard* had own'd *Arnold* came to him several times and solicited him to employ him to do it; that he had given *Arnold* a Note of 5*l.* to tear out the Leaves; that he had done it; and that himself was by at the doing it. The Prisoners both deny'd the Fact upon their Tryals; and *Arnold* pretended he had lent *Goddard* Money, and gave him the Note upon that Consideration. But notwithstanding their Evasions, the Jury found them both guilty

of



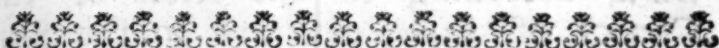
of the Indictment. They were fin'd 10 Marks a piece, and to stand on the Pillory at *St. Andrew's Holbourn*.



*The Tryal, &c. of*  
Mark Anthony de la Port.

**M**ark Anthony de la Port of *St. Anns Westminster*, was indicted *March* the 4th, 1720. for a Misdemeanour, in that he being a Popish Priest, did exercise part of his Function here, in the Parish of *St. Ann's Westminster*, by marrying *James de Fleury* to *Barbara de la Gard*, according to the Rites of the Church of *Rome*, contrary to the Statute of 12 W. 3. for preventing the Growth of Popery. *James de Fleury* deposed, That the Prisoner told him he was a Priest of the Church of *Rome*; and that he marry'd him to *Barbara de la Gard*, on the 10th of *June*; that he gave them a Certificate signed with his own Hand, and witnessed by several others. *Reney de la Fontain*, and *Jane de la Fontain*, deposed, That they were present at the Marriage, saw the Priest perform his Office and sign the Certificate, and that they

they witnessed it themselves *Mary Evans* deposed, That she was present, but did not understand *French* nor *Latin*; that she saw the form of a Marriage, Ceremony of the Ring joyning of Hands, &c. and witnessed the Certificate. The Certificate being proved, was read in Court; wherein the Prisoner asserts himself to be a Roman Priest according to the Rites of the Church of *Rome*, and mentions what Romish Bishop he receiv'd Orders from. The Jury found him Guilty. He was sentenc'd to perpetual Imprisonment in such Place or Places within the Kingdom, as His Majesty, by the advice of his Privy Council, shall appoint.

*The Tryal, &c. of*

*Katherine Jones alias Nowland.*

**K**atherine Jones, alias *Nowland*, was indicted September the 5th, 1719, for marrying *Constantine Boone* in April last, her former Husband *John Nowland*, being then living. It appeared that the Prisoner was married to *John Nowland*, by Dr. *Talbot*, on the 27th of April,

1713,

Katherine Jones *alias* Nowland 312

1713, at a Private House in *Blue-Ball Alley* in the *Mint Soutowark*; and to *Constantine Boone* last *April* in the same House. The Prisoner own'd both Marriages; and in her Defence, said, that the last she was married to was no Man, and therefore could not be a Husband; that it was a Monster, a Hermaphrodite, and had been shewn as such at *Southwark Fair*, *Smithfield*, and several other Places; and called several Witnesses to prove the same; one whereof deposed, that he knew the Mother of it, who brought it up as a Girl in Apparel at School, and to handle the Needle, till it was 12 Years old, when *he turn'd Man and went to Sea*. She was also produc'd in Court, and own'd her being an Hermaphrodite, and having been shown: And it appearing by her own Confession, as well as other Evidences, that the Woman was more predominant in her than the Man, the Prisoner was Acquitted.



The

*The TRYALS, &c. of*

*John Law, and George Gaddis.*

**T**HEY were indicted, For that they being Mariners on board the Ship called *The Beginning*, whereof *Peter Barns* was Master, and being at a place called *St. Lazee*, near *Martineco* in the *West-Indies*, and on the high Sea, within the Jurisdiction of the Admiralty of *Great-Britain*, the Ship and Apparel value 100 *l.* 22 Barrels of Beef, value 20 *l.* 18 Barrels of Flower, value 15 *l.* 23 Casks, value 5 *l.* and other Goods, the Property of Persons unknown, did, on the 26th of *Sept.* piratically and feloniously seize and carry away, against the Consent of the said *Peter Barns*, Master, and contrary to the Statute in that Case made and provided.

The Counsel for the King opened the Case; setting forth, That the Prisoners being Mariners, were Ship'd on board the Ship call'd *The Beginning*, whereof *Peter Barns* was Master, at *Barbadoes* in order to go a Trading Voyage to *Martineco*, and other Places; that being at a Place call'd *St. Lazee*, near *Martineco*, they setting on Shore the Master and Super-cargo,



cargo, did return to the Ship under pretence of fetching their Shoes, and did confine the Mate *Benjamin Capper*, (since dead) and threatned him, who was not willing to come into their Design, to shoot him through the Head; and ran away with the Ship to go a Pirating, and seized on the Effects, Money, &c. but coming to a place call'd *Harbour-Island*, the Ship was run upon a Sand, and afterwards upon a Rock, and was lost, but the Men and Cargo saved; that the Mate giving notice to Governor *Rogers* of the Island of *Providence*, the Prisoners were seiz'd and now brought to Justice.

This Charge was supported by the following Evidences.

Here the Prisoners desired that the Evidences *Benjamin Bartholomew* and *Benjamin Trewin* might be parted, and give their Evidences separately; which the Court granted them; and *Benjamin Trewin* was order'd to go out of Court while *Benjamin Bartholomew* gave his Evidence as follows.

*Bartholomew* deposed that September last he was shipped on board the Ship called the *Beginning* (whereof *Peter Barns* was Master,) at *Barbadoes*, bound for *Martinico*, from thence to *Boston*, and from thence back to *Barbadoes*, and that sailing to *Martinico*, they there landed some of the

Goods, and went to an Island called *St. Lazee*, where the Prisoners *John Law* and *George Gaddis*, and *Benjamin Trewin*, carried the Master and Supercargo on shore, and coming on board again about an hour and a half after, the Mate *Benjamin Capper* was asleep in the Main Sail and himself in the Fore-Sail. That then *John Law* bid him cut the Cable, but he refusing, he took a Hatchet and cut it himself; and that he was commanded to hoise the Sail, and so they put to Sea. That *Benjamin Gaddis* went down and seized on the Arms which were only three small Arms, which were all they had on Board; and threatned several times to kill *Benjamin Capper* the Mate, and had done it, had he not prevented it; and also threatned to kill him. That then *Benjamin Trewin* took upon him to be the Master; and getting a piece of Paper wrote on it in the manner of a Journal, which happening to be lost, he threatned to kill *Capper* the Mate, if he did not produce it, but he this Evidence chanced to find it, and gave it to him; that then *Gaddis* went to the Master's and Supercargo's Chest and took his Pocket-Book and Money, &c. and then they sailed to a place called *Harbour-Island*, where the Ship run on a Sand, but getting a Pilot they got her off, and afterwards run her upon a Rock called the *Devil's back bone* and

and there bulg'd her, and took out all her Goods

*Trewin* deposed, that on the 2<sup>d</sup> of September last, he was shipped on board the Ship called the *Beginning* to go to *Boston*, but did not then know of going to *Martineco*; but sailing to *Martineco* they there put on shore two Boxes or Trunks, ten Firkins of Butter, two Firkins of Flower, and some empty Hogsheads; that about the 30th they came to *St. Lazee*, where the Master went on board a *French Ship* and got some Wine, and that *George Gaddis*, *John Law* and himself carried *Peter Barns* the Master, and the Supercargo on Shore, and making an excuse to go back to the Ship for their Shoes; they left the Master and Supercargo on Shore, and went back to the Ship and put their Design of going away with the Ship in execution. That *Benjamin Bartholomew* was the first that proposed the going away with the Ship to him on the over night; but that he did not consent to it that Night, but that the next Morning he did; and that when they were come on board again, *Benjamin Bartholomew* cut the Cable and they hoised the Sails and stood to Sea all that Night, and *George Gaddis* went down into the Cabbin and loaded some Arms, and that *Benjamin Bartholomew* with a Hand-spike broke the Lock of the Supercargo's

percargo's Chest, and took out two Doubloons, four Pistoles and two French Lewis de Ors and a Pocket-Book; and there was also a Cask in which were some Goods, which he opened and took out five Dollars and two double Pistoles, and that then *Bartholomew* undertook to carry the Ship to *Harbour Island*, the rest not knowing it: but that missing the Harbour the Ship ran upon a sand, so they went and got a Pilot, and having got her off, she was afterwards run upon a Rock called the *Devils-back-bone*, and bulged, but they got out all the Goods, that then notice being given to the Governor of the Isle of *Providence*, they were apprehended and sent to *England*.

*Counsel.* Who was it made the Discovery?

*Trewin.* I cannot tell certainly, I believe it was Mr. *Capper*, the Mate.

*Counsel.* Was the Mate consenting to the Design of running away with the Ship?

*Trewin.* No he was not.

*Counsel.* Were the Prisoners consenting to the Design?

*Trewin.* They were, it was agreed on among us; and we all did the best we could to get the Goods on shore.

*Counsel.*



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*Counsel.* Did you see *Gaddis* have any Arms?

*Trewin.* I did not see him have any, but he went down into the Cabbia to load Arms.

*Counsel.* What did he load the Arms for?

*Trewin.* Lest the Mate should resist.

*Counsel.* What was it agreed you would do with the Ship?

*Trewin.* It was agreed we should sell the Ship, and distribute the Money among us?

To this one of the Prisoners reply'd, *Ben. Trewin* had said the Truth in every thing.

The Prisoners in their Defence pleaded, that being at *St. Lazee*, and the Master and Supercargo being gone ashore; when they came back to the Ship, they saw a *French* Guard-ship belonging to *Martineco* standing toward them, and that they were afraid of being taken and carried Prisoners to *Martineco*, and that they being upon a Trade with the *French* that was not allow'd of, and sensible of the Misery of lying Six Months in Prison, they did cut the Cable and make to *Harbour Island*, for the Good and Interest of the Owners, and their own Safety, but had no Design of running a-

way with the Ship, and that this was done by a general Consent among them, and that they had no Design of stealing the Ship and Cargo ; but if the Evidences against them had any such Design that was best known to themselves.

*Court. Trewin*, Did you see any such *French* Guard-ship making toward you when you came on board and had left the Master and Supercargo on shore at *St. Lazee* ?

*Trewin* There was a Sloop standing toward us, but I cannot tell whether to take us or not.

*Court.* Did you go away with the Ship for fear of that Ship, or upon the Agreement you had made together so to do before ?

*Trewin.* Upon the Agreement we had made before.

*Court.* What say you, *Bartholomew*, did you see any *French* Guard-ship making toward you ?

*Bartholomew.* I saw a Sloop, but whether *French* or *English* I cannot tell.

*Counsel.* Did you go away for fear of that Ship ?

*Bartholomew.* No.

*Counsel.* How long was it from the time that you left the Master and Supercargo on shoar at *St. Lazee* till the Ship run on the Rock of *Harbour-Island* ?

*Bartholomew.*

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*Bartholomew.* It was about three Weeks, or betwixt a Fortnight and three Weeks.

*Counsel.* Did the Prisoners ever talk of returning to *St. Lazee* to take the Captain and Supercargo in again?

*Bartholomew.* I can't tell what was in their Minds, I never heard any Intention of it.

*Court.* *Trewin*, Who proposed to sell the Ship and divide the Money?

*Trewin.* It was *Bartholomew's* Proposal.

*Court.* Did the two Prisoners consent to it?

*Trewin.* They did consent to it; it was our Design and Agreement.

*Prisoners.* We did not know any thing of selling the Ship when we came on board after having set the Captain and Supercargo on shoar; but seeing the *French* Guard-ship, we hoisted Sail cut the Cable, and put out to sea for the Good and Interest of the Owners, and for our own safeties, to prevent being taken and imprisoned; and did endeavour to turn the Ship up again.

*Court.* But you hear what the Evidences swear that it was what you had agreed to do the night before.

*Prisoners.* It can hardly be thought that we should run the hazard of our Lives for so small a Vessel, or that four Men should go a Pirating in her, there was a

Pirate Ship but about ten or twelve Leagues off, where if we had had a design of going a Pirating, we might have gone thither and have been kindly entertain'd. We put to sea to save the Vessel and Goods, and made to *Harbour Island*.

*Court.* But why did you not then take the Supercargo and Captain with you, it was as much, nay much more their concern than yours to see to the saving the Vessel and Goods?

*Prisoners.* We had not time.

*Court.* And besides, it does not appear that you had any design to return to *St. Lazee* to take in the Master and Supercargo, it was near three Weeks after you left them that the Ship bulged on the Rock.

*Prisoners.* It was very blowing Weather, and the Ship was very light, we were afraid of being over-set.

*Court.* *Trewin*, what Weather was it?

*Trewin.* It did blow pretty hard, and and the Vessel was light.

*Counsel.* But did you know of any Design the Prisoners had to return to the Captain?

*Trewin.* No.

*Jury.* We desire *Bartholomew* and *Trewin* may be ask'd again who cut the Cable.

*Court.* *Bartholomew*, who was it cut the Cable

*Bartholomew.*



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*Bartholomew.* It was *John Law* cut the Cable.

*Court.* *Trewin*, who was it cut the Cable?

*Trewin.* It was *Bartholomew* cut the Cable, I stood near him when he did it.

*Bartholomew.* My Lord, it was *John Law* cut it, and so the Mate Mr. *Capper* (deceased,) swore in his Affidavit.

*Court.* It is not so very material who cut the Cable, the Evidences are very positive the Prisoners were in the Agreement to run away with the Ship, and did so, were Consenting and Acting in it.

*Court.* Prisoners, have you any more to say? Have you any to call to your Reputation?

*Prisoners.* No, we have none to call.

*Court.* That's much, you are in your own Country, *English* Men, one would think you might have somebody to speak in your behalf, or it should seem you have behav'd your selves but indifferently.

*Prisoners.* No, my Lord, we are not *English* Men, we are *Scotch* Men.

The Court then having summed up the Evidences, the Jury went out, and after a very short stay brought them both in Guilty of Felony and Piracy.

The Court then proceeded to ask them what they had to say why Judgment should not pass upon them according to Law, the Prisoners both pray'd for Transportation, and then received Sentence of Death as usual; but were afterwards pardoned.



*The Tryal, &c. of*  
Henry Jackson.

**H**enry Jackson, Mariner, was Indicted at the *Old Bailey Decemb. 10. 1718*, for that he on the 30th of *October*, in the 3d Year of his present Majesty; together with *John Murray, James Hewson, Hugh Ravenscroft, John Proctor, Thomas Macclesfield, John Mackenny*, and divers other Persons, being Mariners on board a Merchant Ship, called the *Hocknal Galley*, whereof *Hocknal Short* was Master; and being about twenty Leagues distant from the Island of *St. Martins*, on the Coast of *France*, on the High Seas, within the Jurisdiction of the Admiralty of *Great-Britain*; the said Ship and Apparel, value 70 *l.* and several large Quantities of Soap, Cheese, Butter, Cyder, Cordage, Linnen, Hats, and divers other

other Goods and Merchandizes, to the Value of 500 l. belonging to the Subjects of his Majesty, did Piratically steal and bear away, contrary to the Statute in that Case made and provided.

He was likewise a second Time indicted, for that he, together with *John Murray*, *James Hewson*, &c. as above-mentioned, and divers others, being Mariners on board the said Ship *Hocknal Galley* did on the High Sea, at the Place aforesaid, on the 29th of *October*, in the 3d Year of his Majesty's Reign, endeavour to procure and cause a Mutiny in the said Ship, and the Master *Hocknall Short*, did assault and put in Danger of his Life, and for the Space of 25 Days, did confine as a Prisoner, contrary to the Statute in that Case made and provided.

The Counsel for the King opened the Cause, setting forth, that the Indictment was grounded on an Act of Parliament, made in the 12th Year of King *William*, and renewed again in the First Year of his present Majesty: Whereby it is Enacted, That whoever on Board a Ship, on the High Seas, shall assault the Master, and make a Mutiny in the Ship, shall be deemed guilty of Piracy. And that whereas several ill-disposed Persons had raised a Rebellion in that Part of *Great-Britain* called *Scotland*, which being suppressed by  
his

his Majesty's Arms, it was necessary that the Ringleaders should be made Examples of Justice; and it did also seem good to his Majesty, out of his Princely Clemency and Lenity, to many of meaner Rank, who for want of Bread were seduced and drawn in to joyn in the said Rebellion, to change their Punishment, by Transporting them into a better Country than their own. It so happen'd, that Capt. *Hocknal Short* had receiv'd Thirty of the said Rebel Prisoners on board his Ship the *Hocknal Galley* of about Eighty Tuns, of which he was a Quarter Owner, in order to Transport them to some of the *Caribbee* Islands; and had also taken on board several Goods and Merchandizes, to the Value of 1500 *l.* or 2000 *l.* That accordingly he did set Sail from *High-Lake* in the Road of *Chester* the 28th of *June*, 1716, with the said Thirty Rebel Prisoners, and Thirteen Mariners, whereof the Prisoner was one, and also his Apprentice (and the only Person that dar'd to stand this Tryal; the other Twelve having thought fit to abscond) and prosecuted his Voyage prosperously till about the 28th of *July*; that then some of his Men began to Mutiny in the Ship; and on the 3d of *August* the Rebel Prisoners siding with the mutinous Ship's Crew, did, about Four a-Clock in the Morning, with armed Force, sur-  
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prize the Captain in his Cabin, assault him, put him in Chains, and also his Mate and some other Persons; and chusing one *Lawrence Chartres* for their Captain, steer'd their Course towards the Coast of *France*, where having made their Escape from the said Ship, the mutinous Crew made one *John Murray* their Captain, and the Prisoner usurp'd the Place of Mate; and that they did still keep Captain *Hocknal* and *John Gilbesby* his Mate, Prisoners, in Irons, and fed them with Bread and Water of Affliction, till the 24th of *November* following, threatening to murder them if they said any thing that displeased them, till after about 3 Weeks Imprisonment, by the Providence of God, and contrary to the Design of the Mutineers, the Ship was conducted to a Place called *Daw-pool* near *Chester*, where the half-starv'd Captives, Capt. *Short* and his Mate *James Gilbesby*, did not without armed Force from the Country, obtain their Liberty from the insulting Ship's Crew. This Charge was supported by the following Evidence.

Capt. *Short* deposed, That having fitted out the Ship *Hocknal-Galley* with Provisions and a Cargo bound for the *West-Indies*, he took on board 30 of the Rebel Prisoners, and set sail from *Hig-Lake* the 28th of *June* 1716; but by contrary Winds was driven on the *Irish* Coasts, where continuing

ing about 7 or 8 Days, he prosecuted his Voyage toward *Antegoa*; that being gotten over against the Westward Islands, about 20 Leagues from the Island of *St. Martins*, and having a flattering Wind, and seeing them very lavish with the Water, being dubious whether it might last the Voyage, he, about the 26th of *July*, made a Speech to his Ship's Crew, telling them it was necessary to come to an Allowance of three Pints a Day *per Man*; upon which some of his Crew grew surly, and particularly *John Murray* refused to come to Prayers, and to do his Duty in working the Ship, and gave him very saucy Language, and behaved himself very insolently; whereupon he called the Carpenter, and commanded him to put him in Irons, but that the Carpenter refused to obey his Command; whereupon he went into the Cabin and fetch'd a Sword and threatned to cleave his Brains, upon which he fetch'd Irons and did iron *John Murray*; that when he had been in Irons about half an Hour, he sent *James Gilbesby*, his Mate, to him, to reason with him, in order to bring him to a sense of his Duty; and to tell him upon his being brought to Reason, and a promise to do his Duty, he would pardon him and immediately release him; but that he behaving himself obstinately and insolently to the Mate, he  
thought

thought it adviseable to continue him in Irons, which he did for about four or five Days, and then set him at Liberty; and that perceiving that several of his Men were imbittered against him and his Mate, and were very obstreperous against him, and that the Prisoner threaten'd the Mate, and *William Proctor* challenged him and threatened to beat him, upon this he gave *Proctor* two or three Strokes, saying, *What do you mean to make a Mutiny in my Ship? I suppose you will be for beating me the next:* That he thereupon gave his Mate Orders to watch diligently, and have strict guard kept, that there might be no Confederacy between the Mutinous Men and the Rebel Prisoners, and to take care of the Arms; and that on the 3d Day of *August*, when he was asleep in his Cabin, about half an Hour past Four in the Morning, *Lawrence Chartres* came to him with a Pistol cock'd, and bringing him out, order'd his own Carpenter to put him into Irons, and also *James Gilhesby* his Mate, which he did, and then commanded him down again into his Cabin, and made an Offer to the Ship's Crew to give them Fifty Guineas and full Wages, to be paid them out of his Cargo, to navigate the Ship to *France*; that upon this they all agreed to serve *Lawrence Chartres*, and promised to carry the Ship wheresoever he pleased;

pleased ; that the Prisoner was present, and made no Objection, but consented : That then *Lawrence Chartres* told him, that the Prisoner and *John Dever*, who were his Apprentices, had been kind to him, and therefore he demanded, that he should deliver up their Indentures and Obligations, and he would use him civilly ; that he told him it was what he could not do, for he expected that they should see that his Ship's Cargo was not imbezzled ; that then he was very formally twice brought upon Deck, and expected nothing but Death, and the Rebel Prisoners had their Irons taken off, and the Ship's Arms put into their Hands ; and *Chartres* damn'd him, calling him Dog, telling him he should not live a Minute, bidding him prepare himself for Death. That during this Time he perceived no Unwillingness in the Prisoner to serve *Chartres*, but did do it, continually working the Ship, and making all the Sail they could. That in the mean time there was a Ship that gave them Chace ; and tho' they might then pretend to be in the Power of the Rebels, he had a great many Ways that the Rebel Prisoners were not Judges of, not one of them being Sailors, to have given the Ship that chased them the Opportunity of coming up to them, and have re-taken them. That during the Time that *Chartres*  
demanded



demand'd the Prisoner to be set at Liberty from being his Servant, the Prisoner was there present, and consented to it, and did refuse to serve him. That he refusing to set him at Liberty, *Chartres* swore he would cut off his Head; to which he reply'd, *He might do what he would, but he could not discharge him*: Upon which *Chartres* reply'd, *Damn you, you Dog, I will starve you to Death*; and he was put into Hold, and for 7 or 8 Days had no more than a Bisket a Day, and a Pint of stinking Water from the Hogs, tho' there was Provision enough in the Ship. And that afterwards the Prisoner and *John Dover* did peremptorily refuse to serve him; but being ask'd the Reason, gave none: That he was then kept under the Hatches in Irons 'till about the 26th of September, when they had carried the Ship to a Place they told him was call'd *St. Gillian's Road*, where, tho' he could not see, being below, yet he heard the Prisoner very active in setting the Rebel Prisoners on shore, and carrying off the Ship's Cargo; that he was told by one of the Rebel Prisoners, that his Ship's Crew had sworn all to be true to one another in this their Management: That while they lay in Confinement, he heard over Head his Men Drinking, Carousing, and Disposing of the Ship's Cargo; and the Prisoner used frequently

quently to go a shore ; and that he heard *Murray* say, *Jackson*, take a Cheese or two, or Butter, or Soap, &c. and bring some Wine on Board ; that they lay there from the 7th of *September* to the 28th of *October* ; and that having put the Rebel Prisoners on shore, they threatned to put a Mizzen-Mast into the Ship, and go to the Isle of *Sky* and fetch more Rebels ; and that when they were going along, he had heard them through the Gratings cry, *Now for the Isle of Sky, Boys*. That about the 30th of *October* the Cook coming down for Coals, he ( *Captain Short* ) jump'd up above Deck, and desir'd them to return to *France*, that he might endeavour to re-take the Prisoners, and re-gain his Cargo ; but they refused, and said the Ship was none of his, nor any thing there, and he had nothing to do with her, but they would carry her where they pleas'd ; and then he was commanded to his Confinement and thrown down headlong, he refusing to go ; that the Prisoner all the while was the chief Mariner, and no body could have brought the Ship from *France* but he ; that then they sailing to the Northward, fell on the Coast of *Ireland*, where the Ship was painted, lest it should be known ; that on the 5th of *November* there was a Storm, and they knew not where they were ; that he heard one of them

them say, *Lord, have Mercy upon us! It is a Judgment upon us for confining the Master; let us take him out, to save our Lives:* That upon this he was taken out, and having enquired what Land they had last seen, (he designing to put into the first Land that he could make) steer'd to *Holy-head*, which he made about Twelve a Clock, and it continued blowing very hard, but about Eight a Clock in the Evening it grew more moderate; then they were not for standing in, but for beating the Sea five or six Weeks, and and talk'd of going into *Beaumaris* to clean and tallow; then he was put down into his Confinement again, and the Storm arising again, they not knowing what to do, he was fetch'd up again, and he would have carry'd her to *Leverpool*, but they were not willing, but he carry'd her over *Chester Bar* into *Chester Water*; then they gave him a Dram in his Cabin, and some Bread and Butter, which was the first time he had been in his Cabin for many Weeks: Then they got to *Dawpool* about the 21<sup>st</sup> of *November*, and he seeing a Ship, call'd out Pirates and Murder, and he was put into his Confinement again; that the Captain of the Galley (Captain *Guillain*) and some of his Men came to the Ship, but they told him some strange Stories, and he was still kept confin'd; that then  
the

the Captain went and acquainted his Friends and his Brother at *Leverpool*, who went to the Ship, but the Prisoner and others refus'd him Entrance, keeping them off with Hand-spikes and Weapons; so he went back, got the Recorder's Warrant, and came again on the 24th of *November* with Custom-House Officers and others, and released him and secured them; that they were then carry'd before the Recorder, but they not understanding their Actions to be Piratical, they were discharged.

The Prisoner desired the Court to ask Captain *Short*, Who used to read Prayers? what Prayers he read? and whether one of the Rebel Prisoners did not use to read Prayers? and also what King he pray'd for? and whether *Lawrence Chartres* did not use to dine with him, and some others of the rest of the Rebel Prisoners were not at Liberty, and without Irons? and whether he did not use to drink the Pretender's Health by the Name of *James* the Third of *England*, and Eighth of *Scotland*? and whether he had not broken open his Chest, and taken away his Journals? and and whether he had not sent him a Letter, to tell him he would not go the Voyage with him, unless he did more strictly confine the Rebel Prisoners? To which Captain *Short* reply'd, That he commonly did use



use to read Prayers himself, and that he read the Common Prayer; that one of the Prisoners had sometimes read Prayers, he being recommended by some Persons of Worth in *Leverpool* as a civil Person, and one they desired might have some more Liberty than common allowed him, being a Person from whom he need not apprehend any Danger; that he pray'd for King *George*, and no other Person as King; that *Chartres* being one recommended as before, did dine with him; that he never had drank the Pretender's Health, nor had permitted it to be done by any of the Rebel Prisoners, but would have repressed it if proposed by them; that he did desire the Officers of the Customs to break open the Mens Chests, to see what Money or Part of the Ship's Cargo was in them, but took no Journal of the Prisoner's, nor saw any, nor did not know of the Letter he spoke of; that two or three of them being recommended, and four or five of them sick, they had Liberty in the Day-time, but were lock'd down at Night.

*James Gilhesby* the Mate, confirm'd whatsoever the Captain had deposed, being a little more particular as to some Circumstances; adding, that when the Captain had sent him down to reason with *John Murray*, when he was in Irons, for his disobeying the Captain, that then he was so resolute,

resolute, that he threatned him with being thrown over Board : And that when *Lawrence Chartres* and the Ship's Crew revolted, they first bound him, and he was chained down to the Forecastle 14 Days and Nights, having nothing upwards but his Shirt on, and no Covering but the Sky, so that he was ready to perish ; that the Captain was at that time in Irons on the Quarter Deck : After 14 Days time he was carried to him, and glad he was, and there continued 'till they arrived on the Coast of *France* : That he asked *Ridley*, why they were confined ? And if they had done any thing, why they were not brought to Justice ? To which he reply'd, that indeed it was very arbitrary, but they had all sworn one to stand by the other, and that we should neither have Pen, Ink, or Paper, or any to come at us, and that they would not permit him to have any thing to eat but salt Hocks, which he desir'd might be steeped, but could not obtain it. That being arrived there ( the Prisoner voluntarily working the Ship ) *Lawrence Chartres* went on shore two or three times, with one or two more ; and at his coming back, told the Captain he should either go and be Prisoner in the Castle, or stay a Prisoner on board : The Captain desir'd to know the Charge ; he told him, eight or ten Crowns and some Crowns *per Diem*, but

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but Captain *Short* did not go ; that they were every Day heaving out some of the Ship's Cargo, and the Rebel Prisoners went a shore, ten at a time, 'till they were all gone, and one of the Ship's Crew went with them. That when the Rebel Prisoners were all gone, *Murray* took upon him to be Captain, and used Captain *Short* barbarously ; brought Ropes to tie him Neck and Heels, and would come down every three or four Hours, to see they had not got off their Irons, and the Prisoner was his Mate : That on the 28th of *October* they sailed to the Northward, and the Captain took an Opportunity to jump up upon Deck when the Cook came down for Coals, and desired them to let him go back to *France* to re-claim his Cargo and Rebel Prisoners ; they said they were all sworn to the contrary, and would not, and threw him down again ; that thus they were us'd, as before related, and when they were lost, and in a Storm so great that the Ship could scarce live, they were admitted up, and saw the *Skerries* near *Holyhead*, but put down again when the Storm was over, and treated as had been before declar'd by the Captain.

The Prisoner then desired the Court to put the same Questions relating to the Captain, which he had before put to the Captain, to this Evidence *James Gilhesby*,  
which

which he generally answered in the Negative, as the Captain had done. He then desired them to ask, whether he had not taken his Journal, to which he also reply'd in the Negative, and that all Journals and every thing of that Nature had been made away with, and that he found no such thing in the Ship; that when the Chests were broken open by the Custom-House Officers, he saw no such thing, but that almost in every Chest there was some part of the Ship's Cargo found. The Prisoner desir'd to have the Question put to him, whether, when the Rebel Prisoners revolted, if he (the Prisoner) was not first bound? To which he reply'd, He could not be positive whether himself or the Prisoner was first bound, but that the Prisoner was unbound again in half an Hour, and he never perceived any Uneasiness in him, but that he work'd the Ship in carrying her to *France*, and was very active in carrying out the Ship's Cargo after the Rebels were gone, and never saw nor heard any Reluctance in him from first to last, but rather Insults to his Master and him, than the least Attempt or Inclination to persuade his Accomplices, or procure their Enlargement.

The Prisoner in his Defence pleaded,  
That having taken on Board 30 Rebel  
Prisoners



Prisoners at *High Lake* the 26th of June 1716, at the Request of some Gentlemen, some of them were released out of Irons; upon which he sent a Letter to his Master, *Hocknal Short*, intimating, that he would not go the Voyage if the Rebels were allowed to be at Liberty; that they prosecuted their Voyage, and that the Captain did let several of them be at Liberty, and three of them dined daily with him in the Cabin; and putting into *Waterford*, the Captain took on Board a Person who was a Sailor, and one that had been bred up in *France*; who after the Revolt, did direct in carrying the Ship to the Island where they got away. He said likewise, that the Captain had been forewarned not to take him in; and that the Master in *Ireland* did permit some of the Rebel Prisoners to go on shore with him: That when the Rebels revolted, he himself was the first that was bound, and was compell'd to assist in carrying the Ship to the Coasts of *France*, by Force of Arms; and that the Captain himself had offered, if they would spare his Life, he would carry them where ever they pleased: He denied that he opposed his Master's Brother coming on Board the Ship at *Dawpool*. To prove these things, he called the following Evidences.

Q

Mr. Aspi-

Mr. *Aspinal*, the Supercargo of the Ship, deposed, That the Captain did, at their first setting out, hinder two or three of the Rebel Prisoners from being Ironed. He said likewise, he did see a Letter which the Prisoner sent to the Captain, that he would not go the Voyage, unless the Prisoners were put in Irons; that when they came to *Ireland*, two or three went a-shore at *Waterford*; that one who was a Papist went to Mass there: That on the 3d of *August* he saw Eleven of them without Irons: That about Four a-Clock in the Morning *Lawrence Chartres* got up, and said he was a-dry, and that he would go down and get a Bottle of Ale, and under that Pretence seized the Captain, and the Mate and himself, and they were all confin'd, where he remained 'till they came to the Coast of *France*; that there the Rebel Prisoners all got on shore, and the Ship's Cargo was carried off to the Value of above a Thousand Pound, and all the Arms of the Ship along with them, except some Muskets without Locks, which were hid under the Ballast: That when they were gone, he was set at Liberty, but the Captain and Mate were still confin'd. Being asked, whether the Captain did not propose to go back to *France* to recover the Rebels and Ship's Cargo? He owned he did. Being asked the Reason why he

he was confin'd? Answer'd, he did think because of his Severity, and denying the Men Water. Being also asked, why the Captain was not permitted to go back to *France*, to recover the Rebels and Ship's Cargo. He reply'd, because he believ'd they were afraid; the Rebels having taken all the Arms out of the Ship, and had threatned them, that with a Boat they had there, they would fire the Ship if they attempted to come to take them. Being ask'd, Why the Captain and Mate were not released when the Rebels were all gone? He answer'd, He could not tell, but he believ'd because of his Severity to the Men, in not being willing to allow Water, having deny'd it, when it was desired to make Lob-scouce; and because that he had talk'd of going to the Isle of *May*, when he had not on Board Provisions for that Voyage. Being ask'd, Why, when he was at Liberty himself, he did not endeavour to persuade the Ship's Crew to set the Captain and Mate at Liberty? He reply'd, He had endeavour'd it, but it was not done. Being ask'd if the Prisoner was there at that time? He answer'd, He did not know.

The Prisoner also call'd *George Ball* an Attorney, who acquainted the Court, that *John Murray*, and the rest of the Ship's Crew, had enter'd a Protest against Cap-

rain *Short*, and he had taken out a Writ against him; and said, he had heard them say they had confin'd the Captain in order to bring him to Justice, for contributing to the Escape of the Rebel Prisoners, and the Ship's Cargo; that the Matter was heard before the Recorder, the Ship's Crew were discharg'd, and that *John Murray* was kept bound 'till the Recorder had sent Word to the Secretary of State, who sending down no Order for his Prosecution, he was discharg'd: The Court finding his Evidence nothing relating to the Matter of Fact, he desisted.

The Council for the King called other Evidences to confront the Prisoner, as to his not opposing the Persons that came to release Capt. *Short* at *Dampool*.

Capt. *Pricket* deposed, That he being at Anchor at *Dampool*, did carry Mr. *Edward Short* to the *Hocknal-Gally*, and the Prisoner and the rest did with Hand-spikes, and other Weapons, oppose their coming into the Ship, nor would they let them come in at all.

*Edward Short* deposed, That he having Intelligence of his Brother's Usage on board the Ship, went to *Dampool*, in the Boat with Capt. *Pricket*, that there he was opposed by the Prisoner and the rest, who with Hand spikes and other Weapons,

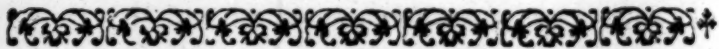


pons, opposed their Entrance into the Ship, and tho' the Prisoner knew him to be his Master's Brother, and that he told them he came to speak to him, yet they bid him keep off before they came near the Ship, and would not let them come into the Ship; that thereupon they went back, and got the Recorder's Warrant, and it being blowing Weather for three Days, there was no coming near the Ship, but on the 3d Day, he getting some Custom-House Officers and others to assist him, they at last got Entrance, and finding his Brother, and *James Gilhesby* the Mate, in their Confinement, and in a miserable Condition, he set them at Liberty, and undertook to bring the Ship up higher, to secure her and what Cargo was left in her. having first set the Broad R upon the Main-Mast, so they went to weighing the Anchor, and the Ship's Crew assisted to get in one Anchor, but presently crying we are all Prisoners we will heave no longer, they let the Anchor fall and the Ship drove on Shore the next Morning; so he put his Brother Capt. *Short*, on Shore, and lashing them together by Couples, he carry'd them before the Recorder.

Here the Prisoner desir'd this Evidence might be ask'd, if they could not have left the Ship and got away, if they had

had a mind to it: To which he answer'd, They could not; for it was such blowing Weather there was not a Boat there, Capt. *Pricket's* excepted, that could weather the Storm.

The Counsel for the King then observ'd, that the greatest Part of the Prisoner's Defence consisted in Insinuations; that Capt. *Hocknal Short* was a Person disaffected to his Majesty, and a Favourer of the Pretender, and upon that Account had connived at, and favoured the Rebel Prisoners Escape: They called some Persons to his Character, as Sir *Thomas Johnson*, *Rowland Cotton*, Esq; and some others, who gave him the Character of a very honest Man, and that they had never known or heard that Character of him. Upon the hearing the whole Matter, the Jury found the Prisoner guilty of both Indictments, and he received Sentence of Death accordingly: But he was afterwards Pardoned.



*The Tryal, &c. of*

Thomas Trot.

**T** *Thomas Trot*, of *Lynn-Regis* in the County of *Norfolk*, was indicted, for

for that on the 20th of *June* last, on the high Sea, within the Jurisdiction of the Admiralty of *England*, in a Place call'd *Peter's Creek*. or Haven, near *Long-Sutton*, he did maliciously, wilfully and feloniously cause to be burnt, a small Ship or Vessel called the *Providence of Lynne*, value 30 *l*.

The Counsel for the King opened the Cause, setting forth, That the Prisoner *Thomas Trot* did purchase a small Vessel, for which was paid the Sum of 20 *l*. partly in Money and partly in *English Spirits*, and conveyed part of the Property to one *John Hope* in *London*; that having done this, he goes to refitting this Ship, and laying out some small Sums upon it: When he pays the Persons, he gets them to give Receipts for so many Pounds as he pays them Shillings, and by this means calling her a Ship of Sixty Tuns, on which, by Bills, he proves so much laid out as amounts to the Sum of 240 *l*. then the Thing looks shining The next is to pretend to use the Coasting Trade, and lade her from Port to Port; then sending to his Correspondent at *London*, he goes to an Insurer, shews a Bill of Sale of 240 *l*. and insures 200 *l*. upon her; then he goes to another Insurer, and insures 200 *l*. more. So now the next thing is to get the Insurance Money.

The Method is this ; He gets a poor Fellow, one *Philip Marsh*, a Clock-Case-Maker, he's to be the Master ; but then the Ship must sail to *Wisbich* to be loaded with Mustard-Seed : But the Clock-Case-Maker being no Sailor, he gets a poor Fellow, one *Richard Martin*, to carry her to *Wisbich*, in the Isle of *Ely* ; when they came thither, this *Martin* is turn'd off, and then the Clock-Case-Maker is let into the secret and the Ship is to be made away with, to get the 400 *l.* insured upon her ; which was concerted and done between the Prisoners *Thomas Trot* and *Philip Marsh*. So then the Demand is made upon the Insurers ; they enquire into the Matter strictly ; *Marsh* being pinch'd with close Questions, his Conscience flies in his Face, and he cries, *God forgive me, I burnt the Vessel with my own Hands* ; and the Insurers to repel the Injustice the Prisoner would have done to them, desire that Justice may be done upon him. To prove which they call'd the following Evidences.

Mr. *Haycock* depos'd the Ship was bought of one *Bretland*, about 15 Months ago, at *Michaelmas* 1717 ; that he and Mr. *Wilkinson* were once concerned with *Trot* for a quarter Part for some time, but finding he was for unlawful Practices, he quitted his Concern with him. The Counsel ask'd him, What were those unlawful



lawful Practices? He answer'd, That he propos'd that the Vessel should be sent some whither, and be insured, and he would bring us our Money insured, in order to which she should be destroyed.

*George Wilkinson* depos'd, that the Vessel was bought for 20 *l.* in Money and *English Spirits*; and then some Money was laid out, to the best of his Judgment under 10 *l.* that when the Vessel was sold, and the Bill of Sale, which was 20 *l.* must be made 60 *l.* because, he said, he had one concern'd with him, and he would be willing to know the Charge at once; and supposing 40 *l.* would fit her for Use, that made up the 60 *l.*

*Thomas Marsh* depos'd, The Prisoner would needs have him from *Wibich* to *Lynn*, telling him he would put him into something that should be for his Advantage; so he went, and there found the Vessel call'd the *Providence of Lynn*, an old leaky Thing, that no body would trust old Shoes in. So then this Vessel not being fit to go to Sea, Workmen are set to work to patch her up. One provides her with some Straps and Iron Work; his Bill came to 5 *s.* this he desired might be made 5 *l.* Another Man's Bill came to 3 *s.* and this was made 3 *l.* *Thomas Markam* for Tar, &c. his Bill came to 11 *s.* 1 *d.* the Receipt is taken for 11 *l.* 11 *s.* One *Black-*  
*well*

*well* a Block-maker, his Bill was 5 s. his was made 5 l. Then, said he, the Ship must be painted, and made fine; sometimes he daub'd, and sometimes I; and the Oil and Colours, and one thing or other, came to 1 l. 13 s. this is made 33 l. These Accompts were sent to *John Hope* the Distiller. He said also, that while they were thus busily employed to fit out this Vessel, the People of the Town would ridicule the Prisoner and him, and call the Prisoner *Supercargo*, and him *Captain*, in-  
somuch that they had neither of them Confidence enough to stay there any longer; so they were then to put out to Sea, to go to *Wisbich*, to take in 36 Strike of Mustard-seed; but then they wanted a Pilot; at last we got a poor Fellow, one *Richard Martin* of *Long-Sutton*, who was to be put in as Master, who carried her up *Wisbich* River, and there the Prisoner, said she, should lie quiet; but by the way, for all she was just come out of the Dock, she was so leaky, I was obliged to stand continually at the Pump, for fear the whole Ship's Crew should be drowned; being got there, we got a Bargeman to stuff some Oakham into her Holes, and the Prisoner sends to Mr. *Hope* for some Money, he sends him 20 half Anchors of Brandy, and he having sold them, puts the Money in his Pocket; then the Master

*Richard*

*Richard Martin* was turn'd off, and we run her up into a Ditch, where she lay safe landlock'd between two Banks, where there was no Danger of drowning, if we could but keep the Water out of her; there we moor'd her, tying her fast with Ropes to two Stakes at the Stern, casting two Anchors out of her Head; then she lying in a private Place between Fields, we were employ'd in getting away the Sails, Pump, Boxes, and every thing that was worth any thing, which the said *Thomas Trot* said would serve another Vessel he had at *Yarmouth*; then we cut Splinters, dawbed them with Tar, and he got Stakes out of the Hedges and carried on Board, and he put me to set it on Fire, which I at first scrupled, but he told me there could be no Danger, it would not set the Earth on Fire nor the Water, and so there could be no Damage in it; for a Man may do what he would with his own, so he did not hurt his Neighbour. So having thus prepared Matters, he went and lay perdue a little way off to see how it went on; and I having set Fire to it, got out, being above my Knees in Water and Mud in getting to shore; and he gave me Money to carry me to *Upwell* the same Night. Before I had set it on Fire I was to have 10*l.* a Month, and had been with him

him two or three Months, but had little of him but a Quarter of Brandy now and then, and a Pot of Drink or so, but then was employ'd to write up to *London*, that the Party-Owner might go and demand the Money of the Insurers, and then I was to be paid my Wages.

The Court having heard thus far of the Matter, were of Opinion that the Offence was committed *intra Corpus Comitatus*, and so not within the Jurisdiction of the Admiralty, and therefore the Prisoner was acquitted.



*The Tryals of James Wilfon and  
John Homer.*

**J**ames Wilfon and John Homer, were indicted for Assaulting *George Herbert* on the High-way, putting him in Fear, and taking from him 11 Guineas and half and 2s. 6d. in Money, on the 30th of *August* last. The Prosecutor deposed that he had received his Wages due on the *Queenborough*, and at *Chatham* met the Prisoners and another, who came up to *London* with him, and would have had him  
gon:



gone to drink with them, but he refused; that at the End of *Warwick-Lane* they clapt two Pistols to his Breast, and took 11 Guineas and half from him; that one of them was taken in *Newgate-Market*; that he was sure the Prisoners were two of them, for he knew them well, having been with them three Days. *Jonathan Wild* deposed, that the Prisoner *Wilson*. the same Morning he was taken, sent for him to the *Compter*, and told him, that himself, *John Homer*, and *William Field*, had committed a Robbery; that if he would endeavour to take the others, he would turn Evidence to save his own Life. Accordingly he went in search of them, but they kept out of the Way, 'till about a Week after *William Field* sent to him in order to be an Evidence, and said he would produce *Homer*, and several others for House-breaking and the High-way. Accordingly he agreed to the same, and met him next Morning, when he took him to the *White-Horse-Inn* by *Cripplegate*, where he took *Homer* in Bed with a Woman. After some Threats he got up, and desired that he might be a *Stag*; he ask'd him the meaning of it, and he told him an Evidence; and that he could help him to three or four Foot-Pads. *William Field* deposed, that himself and the Prisoners at the Bar went to *Chatham* with a design to break open Houses

Houses there, but Things did not answer their Expectation; that the Prosecutor coming into the House where they were, they found he had plenty of Money, kept Company with him to *Gravesend*, thence by Water to *London*, where at *Warwick-Lane* End the Prisoners and himself committed the Fact; that *Homer* clapt a Pistol to the Prosecutor's Breast, and they took 11 Guineas and a half and Half a Crown from him. The Watchman deposed, that three Men ran along, and he hearing the Cry of *Stop him*, followed *Wilson* up *Ivy-Lane* into the Market, and took him in a Corner thereof. — *Hooper* deposed, that he coming over the Market, at that time laid hold of *Wilson*, who threw his Pistol under the Butcher's Shambles, and the former Evidence came up, and they secured him. The Jury found them both Guilty, and they received Sentence of Death.

*The Confession of James Wilson.*

HE gave the Ordinary the following Account, That his right Name was *Bernard Wellon*, was 29 Years of Age, born at *Ely*, 10 Miles from *Cambridge*, in which Town he was put an Apprentice to a Glazier; but taking it into his Head that his Master was a severe Man, he left him  
and

and went to Sea ; but growing loose, he had given himself to Pilfering and Thieving small Matters for 5 or 6 Years, for which he had been several Times sent to the House of Correction, and was convicted at the *Old-Bailey* for stealing 12 Pound of Beef the 27th of *April*, and the *May* following was Transported for the Plantations ; but the Master of the Ship in which they went, having but few Sailors on Board, was obliged to employ some of the Malefactors ordered for Transportation, who found Means, at a Signal given to let loose their Comrades, and they seizing on the Captain and Mate, &c. took Possession of the Ship. The Captain desired them at least to spare his Life, and he would carry them to what Part of the World they pleas'd. Upon which they said, they would not go to *Virginia*, but to *Vigo* ; and upon this they were released, and manag'd the Ship to *Vigo* ; and that a Storm arising there, the Malefactors took to the Long Boat, and went to *Cape Fenestre*, about a League from *Vigo*, where they landed, coming off at several Times ; that going to *Vigo*, they met the Captain there, who seem'd very affable and sociable, but on a sudden they were all apprehended, and confin'd upon account of some Pieces of Gold and Rings, which he had lost on Board, which he had return'd to him,

him, and they were all afterwards set at Liberty, and the Captain walk'd about with them in the Streets of *Vigo*, that he taking the Opportunity of some Shipping, came to *England*; where he had not been long arriv'd, but he committed the Fact for which he stood condemn'd. He was Executed at *Tyburn*, Sept. 19. 1720. at the same time was *John Homer*, &c.



### *The Tryal of John Humphreys.*

**J**ohn *Humphreys*, of *St. Sepulchres*, was indicted July 10, 1719, for speaking seditious Words against his Majesty the 28th of *February* 1717. *William Baron* deposed, that he being at an Alehouse with the Prisoner near *Hick's Hall*, heard the Prisoner say, That *King George was not Heir to the Crown, but King James the Third is the true Heir to the Crown*; and would have had two Women, who were in his Company, have drank the Pretender's Health by that Title, which they refused. *Richard Aaron* deposed, that he heard him say the same Words about three or four Years ago, and that he saw him assisting the Mob at *Salisbury-Court* as a Captain of them, and that his Mother's a *Roman Catholic*.



*tho'ick.* The Prisoner deny'd the Fact, and said the Evidence swore against him out of Malice: He called several to his Reputation; but the Evidence being full against him, the Jury found him Guilty, and he was sentenc'd to stand twice in the Pillory, and suffer 12 Months Imprisonment.

He was a second time indicted together with *Sam Bains, George Picket, Tho Hardy* and *Charles Child* for a Riot, and Assaulting divers Women, and tearing their Gowns made of Callico, the 12th of *June* last. Major *Hardwick* deposed, that there being a great Disturbance, occasion'd by a great Number of Weavers being met together in a riotous and tumultuous Manner, Assaulting all Women that were dress'd in Callico, tearing their Gowns, and committing other Disorders, on *Thursday* the 11th of *June* last, four Companies of the Militia were order'd to be rais'd, that his was one of them; that on the 12th they gathered together again, and he having Advice that they intended to pull down a House in *Brown's Lane*, wherein were some Women in Callico-Gowns, march'd with his Company to prevent it; that he order'd his Lieutenant to enter the Lane with part of his Company at one End, while he and the rest march'd in at the other, which they did accordingly; that  
he

he took *Bains* and *Picket* clad in Callico to the Waste, whom he took to be the Ring-leaders; that they cry'd *Down with the Callicoes*. *John Walker* deposed that he was with the Major, and saw him lay hold on *Bains* and *Picket*, dress'd in Callico to the Waste; that there were three or four Hundred of them. *William Jones* deposed that he took *Thomas Hardy* with a Piece of Callico in his Hand, flourishing it over his Head, crying, *Down with the Callicoes*. *Benjamin Horn* deposed, that as he passed through *VVide-Gate-Alley*, seeing a Woman go before him dress'd in a Callico Gown, said, it was a pity they should be wore; whereupon *John Humphreys* came up to him and ask'd him to drink, and told him, that he had spent Five or Six Guineas that Day to encourage the Mob, and that he hoped to have Ten for them the next Day; that they should be reinforc'd; the *Norwich VVeavers* were coming up, and then the Business would be done; that he told him where he liv'd in *VVhite-Chappel*, and if he would come to him there, he would acquaint him how the Matter went on from Day to Day. *VVilliam Brisco* deposed, that *Humphreys* was a Ring-leader of the Mob at *Salisbury-Court*, and that he heard him brag of what he had done. *Mary Pillington* deposed, that she saw *Charles Child* going along the Square on Saturday Morning with a vast Number, swearing

swearing that the Justice had been the Occasion of his being shot, *but he had Meat and Drink now, and might have when the Justice had not*; that he went by again at the Head of the Mob on *Sunday*, and that a Woman being in their House in a Linen Gown, he said, *It was well she was over-against the Justice's*; whereupon another told him the Justice saw him; to which he reply'd, *He might have no Eyes by Night*. That he went up and down bellowing and crying, and encouraging the Mob. It also appeared that a Surgeon would have cur'd him for a Crown. *John Humphreys* pleaded that it was Malice against him. *Charles Child* pleaded, that he was there accidentally, having been out with his Wife with Packthread, (he being a Packthread Spinner) and hearing that a Boy was shot, was going to see him; but as he went, was shot in the Leg himself. They all called several to their Reputation; but the Fact being fully proved, the Jury found them Guilty: at the same time recommending *Charles Child* to the Favour of the Court. The Court sentenced *Thomas Brisco*, *George Picket* and *Thomas Hardy* to stand once in the Pillory, and suffer three Months Imprisonment, and *Charles Child* three Months Imprisonment only.

*The Tryal of Peter Cornelius.*

**P***eter Cornelius*, of *St. Leonard Shoreditch*, was indicted at the *Old Bailey*, *July 15. 1720.* for Assaulting *Dorothy Orwell* on the High way, and tearing and cutting her Callico Gown and Petticoat, on the 24th of *June* last. The Prosecutor deposed, that she was Assaulted by a Multitude of Weavers in *Red-Lion-Fields* in *Hoxton*, who tore, cut, and pull'd off her Gown and Petticoat by Violence, treated her with vile Language, and left her naked in the Fields; that she was in such a Fright that she did not know them again. *Thomas Painter* deposed, that he saw the Prisoner tear the Prosecutor's Gown and Petticoat; that he knows him well; and that he (this Evidence) snatch'd that Piece of Callico out of his Hand and ran away with it; which Piece of Callico was produced in Court, and swore by the Prosecutor to be part of her Gown; that the Prisoner tuckt up his Apron to prevent his being known by it. *John VVeb* deposed, that he was with the Prosecutor at the same time, and took her in his Arms to save her from their Rage; that he desired them to be easy and they should have her Callico, but they tore it

off



off by Violence, and cut his Hand. Mr. *Clarke* deposed, that he saw the Mob Assault the Prosecutor, and tear and cut her Clothes; that he and the former Evidence put a Man's Coat on her, and went with her to the *Red Lion*; where *Thomas Painter* came to them, and said that the Prisoner was one of them; whereupon they got a Warrant and took him up. The Prisoner in his Defence said, that he had been washing in the *New River*, and meeting the Crowd as he came back, jump'd off the Cause-way into the Field to get out of the way for fear of Trouble; but did not Assault the Prosecutor, nor tear her Clothes; and call'd the following Evidence to prove it: The first deposed, that he had been with the Prisoner washing in the *New-River*, confirm'd his jumping off the Cause-way to avoid the Crowd; and farther deposed, that he saw the Callico in *Painter's* Hand, who shewed it to him, but could not tell whether the Prisoner had it in his Hand or not. Another deposed, that he hearing a Noise, went to see what was the matter; that the Clothes were tearing before he came up. and that he saw the Prisoner in the Fields, not on the Cause-way, going home, and that he had no Callico in his Hand. Another deposed, that the Prisoner being at his Door, this Evidence  
said

said to him, *There's a Noise and a Fighting, I never did see such things; if you will go with me, I will go:* but the Prisoner refused, saying, *He did not like such Things, that we might come into Trouble about it.* The Jury considering the whole Matter, found him Guilty. Transportation.



### *The Tryal of William Marvell.*

**W**illiam Marvell, of St. Stephen in Coleman street, was indicted, Octob. 14. 1719. for privately stealing 10 Silk Handkerchiefs, value 12 s. out of the Shop of Nathanael Simms, on the 7th of August last. It appeared that the Prisoner went to the Prosecutor's Shop and cheapen'd some Handkerchiefs, that he carry'd one to the Door to shew to a Woman who was there, and asked her if she liked it; and as soon as he was gone, they mis'd the Handkerchiefs off the Compter; whereupon the Prosecutor's Daughter went after him, but he was got out of Sight; and the Woman of the Alehouse, who stood at her Door, asked her what she sought after; and she describing his Person, and with a Lock under his Arm, and an Apron on, her Neighbour told her

her that she saw him go by just now, that she knew him, and that he was *Marvell* the *quondam* Hangman; whereupon they made enquiry after him, and about five or six Weeks after he was taken by one of the Beadles in the Fields, and brought to the *Anchor* Alehouse; and the Prosecutor's Wife and Daughter were positive he was the same person; and that the Handkerchiefs were upon the Compter. when he was there, and miss'd as soon as he was gone, and that no body else came into the Shop in the mean while; this was confirm'd by another Woman, who was in the Shop all the time: That when he was Apprehended, he offer'd to make Satisfaction if the Prosecutor would take it by 1 s. a Week, he being poor, and said that he was drunk when he did it. The Prisoner owned his being in the Shop to buy a Handkerchief, but denied that he took any way, and said that he was prosecuted out of Malice, several having bore him an Ill Will for performing his Office in cutting off the Earl of *Derwentwater's* Head. He called several who gave him the Character of an Honest and Industrious Man; and some of them added, that they had heard him declare he resolved to continue so as long as he lived, and that he would rather beg than steal; for that if he should be taken in stealing but one penny,

penny, his very Character would hang him; that he did sometimes beg, and they had relieved him. The Jury considering the whole Matter, brought him in Guilty to the value of 4 s. 10 s. Transportation. Whereupon he beg'd of the Court not to send him beyond Sea; but to admit him to any Corporal Punishment they should think fit, which he would willingly submit to, tho' it were to be Whipt a Mile, but it was not granted him.



*F I N I S.*



*The T R Y A L, &c. of*

Thomas Parquort *alias* Parker,  
John Prior, *and* Robert Vickers.

**T**HEY were indicted *January 15, 1718-*  
19, for assaulting *George Floyer, Esq;*  
on the Highway, and taking from him a  
pair of Pistols value 40 s. a Holster-Cloth  
value 15 s. a pair of Spurs value 5 s. and a  
Gelding value 30 l. the 18th of *September*  
last. Mr. *Floyer* deposed that as he was  
coming from *Hamstead* about 7 a Clock at  
Night he saw 3 Men knock a Man off  
his Horse, that thereupon he pulled out a  
Pistol and made towards them, that one  
of them made towards him, and caught  
hold of his Horse's Bridle and pulled his  
Head to the Ground; that he endeavour-  
ed to discharge his Pistol, but it flash'd in  
the Pan, thereupon he struck him several  
times with his Pistol on the Head, and  
making his Horse stand up on his Hind  
Legs got him off; but another coming up  
he was knock'd off his Horse by a Quarter  
Staff, and accordingly himself drew his  
Sword, whereupon one of them said *D---n*  
you surrender or I'll Shoot you thro' the  
Head; he gave one of them a Prick or  
two in the Belly; but seeing himself over-  
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power'd he made his Escape to a House not far off, where was an Old Man and a Boy, and acquainted them that he saw one of them mount his Horse, and another get upon the other Man's Horse, that the old Man and Boy took Pitch Forks, and came out, and the Person who had mounted his Horse rode after him, and there fired at him, took off the Point of his Sword, and the Bullet flew over his Head; but was so near him that the Force of the Powder struck him down, and he was so burnt he was forc'd to get a Surgeon as soon as possible to cut out the Powder and dress him. But he could not swear positively to any of their Faces. Mr. *Floyer* produced his Pistols in Court, which were found among the Arms taken with the Prisoners when they were apprehended at the *One Tun Tavern* in the *Strand*. Mr. *Allin* deposed, that about 7 a Clock, a little beyond the Turn Pike at *Tottenham-Court*, he was set upon by 3 Men, one of which laid hold of his Horse, and the other struck him over the Head, upon which he asking them if they would murder him, one of them said do you cry out murder? D——n you, I'll teach you to cry murther; and knock'd him down; that then they robbed him, and in the mean time Mr. *Floyer* came up, and *Parquort* went to Mr. *Floyer*, and having received 2 or 3 Blows, another of them  
went

went, which was *Prior*, and *Vickars* staid with him, holding a Pistol to his Breast; that *Prior* got upon Mr. *Floyer's* Horse and rode after Mr. *Floyer*, that they having left him he saw a Pistol go off, that he afterwards rode to the Turn-Pike, and got several to go with him, but did not take them, but found Mr. *Floyer's* Horse Bridle and Pistol Cloth in the Road, and hollowing to Mr. *Floyer*, he answering, they found him. *Thomas Athorp* deposed that he indeed was not with them in this Robbery, but that *Vickars* and *Prior* told him they had stopped a Gentleman at that time and place, and that the Gentleman broke *Parquort's* Head, and cut him over the Eye with his Pistol, and that *Prior* mounted his Horse, designing to stop him, but that the Gentleman got down to the House near *Fig-Lane*. The Fact being plainly proved the Jury found them all guilty.

They were all three Indicted a second time for assaulting *William Spinnage* upon the Highway, and taking from him a Purse value 6*d.* 14 Guineas and a half, a Watch value 8*l.* and other Things, the 18th of *August* last. Mr. *Spinnage* deposed, that as he was in a Hackney Coach in *Farrington-Lane*, near *Hornsey*, 3 Men came up to him armed with Guns, Pistols, &c. Swearing and Cursing in a very violent manner, and *Parquort* held a Blunderbuss, and *Vicars*

took his Money and the things beformation'd, taing also his Buckle out of his Shoes, and he having a Ring on his Finger demanded it, but he said he could not get it off, upon which *Prior* said, G—d d—n you I'll have it off or I'll cut off your Finger; and he added, that when he went to *Prior* in the *Marshalsea*, there he owned the Robbery, and that a Shell-Box he had lost was in pawn by him, which he had of *Vickars*. *Thomas Ahorp* confirmed what *Mr. Spinnage* had deposed, telling also several other Circumstances, and added, that the Prisoners were all there, and likewise one *Hathaway*, since (as he hears) gone to Sea. This Fact being plainly prov'd they were all found guilty of this Indictment likewise.

They were all three a third time indicted for assaulting *William Squire*, on the High-Way, and taking from him 5 Guineas, a Watch, value 6 l. 2 Seals, a Chain, and 10 s. in Money, a Launcet-Case, and several other things, on the 7th of *November* last. *Mr. Squire* deposed, that he being sent by the Lord *Sunderland* to the Lord *Haverham*, set out the 7th of *November*, before 5 a-Clock in the Morning, and having gone through the Turn-Pike at *Tottenham*, he was there set upon by three Men on foot, in Horse-mens Coats, with Pistols under them; that he told them he

was



was the King's Messenger and was upon his Duty, desiring them to let him pass; but instead of that they threatened they would shoot him dead; and making him dismount they carried him into a Field, and there robbed him of every thing he had, but his Letter to the Lord *Haversham* and his Escutcheon; pulled off his Boots, and were about three quarters of an Hour robbing him, were several times for killing him, but *Tho. Ahorp* desired them neither to kill him nor rob him, because he was the King's Messenger, and that he expostulated with them, and told them he might do them Service if taken; but they still menacing him, he told them they did not dare to kill him, and opening his Breast bid them kill him if they durst, but tho' they still threatened, *Ahorp* prevented them. He could not swear to their Faces, but he knew *Vickers* by his Voice, he produced some of his things in Court, which were taken, when they were taken, in a Trunk and Portmanteau, &c. at the *One Tun Tavern* in the *Strand*, which was full of Swords, Pistols, Blunderbuffes, &c. and *Prior* gave him something that was his, when he went to see him in the *Marshalsea* and *Vickers* had owned he had his Watch. This was generally confirm'd by *Ahorp*. The Facts being plainly proved, they were

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all found guilty of this Indictment likewise.  
And they received Sentence of Death.

*They gave the Ordinary the following Account.* John Prior said he was 34 Years of Age, born at Catsoe in Bedfordshire; came to London about 4 Years before, and listed himself into the Second Regiment of Foot Guards, and giving himself to live a loose and disorderly Life, was easily induc'd, by the Evidence against him, to the commission of ill Facts. He said that Parquort was not with them when they assaulted Mr. Squire, but assisted in the other Robberies, and in several other Facts, he was very ignorant, and could not read, but expressed a great deal of Sorrow for his mis-spent Life.

Robert Vickars said he was 23 Years of Age, born at Nethered in Warwickshire; and while he was young went to Westbury in Buckinghamshire, and was bound to a Baker, and having served out his Time, came to London, and served as a Journeyman in several Places; but, about 4 Years before, growing weary of his Employment, he listed himself in the second Regiment of Foot-Guards, where he, living a disorderly Life, took to robbing to supply his Extravagancies, had committed several Facts besides those he stood condemned for; he also said Parquort was not with them in robbing Mr. Squire, but was in the other Robberies. One or both of these acknowledg'd, after Condemnation, to Mr. —, at the 3  
Cups

## Thomas Parquort. 367

Cups at Bow, that they were concerned in robbing him near Maidstone, in Kent, not long before, where he was very barbarously us'd, being pulled off his Horse by a Boat-Hook, which they fasten'd upon his Cheek and tore it quite through; and afterwards he being a stout Man and not quietly resigning his Money, which was a pretty handsome Sum, he was knock'd down, and received a Contusion on his Skull, which, tho' he recovered, he will never be his own Man again; for which they then asked his Pardon.

Francis Parquort said he was 30 Years of Age, born at Malines, a Sea-Port Town in France, near Rochel; that he came to London about 15 Years before, and liv'd 3 Years with a French Jeweller, and then went down to Bath, and there kept a Shop for some Time, but growing into Debt, was obliged to leave that Place and come to London, where again he followed his Occupation. He denied the Facts he was condemned for, and obstinately persisted in his Denial, was very backward to come to the Chapel, and shewed no great Signs of Penitence. They were executed, February 13 1718—19.



The T R Y A L, &c. of  
James Moor, *alias* James Murray.

**H**E were indicted for Stealing a Gold Repeating Watch value 60 l. a plain Gold Watch value 20 l. and 18 Silver Watches, value 90 l. on the 5th of September, from *Katharine Finch*. He was indicted a second time, for feloniously stealing a pair of Silver Buckles, value 5 s. a Snuff-Box value 20 s. 2 Guineas value 2 l. 2 s. and 5 s. in Money number'd, the Goods and Money of *David Wood*, in the House of *Katharine Finch*. It appeared that the Prisoner lodged in the Prosecutor's House about a Month, and pretending he lost his Sight by a violent Fever three Years ago, but was not perfectly dark, desired to sit in the Shop in the day time for his Diversion, and in the Evening one of the Servants used to go into his Chamber, where he used to tell pleasant Stories of his Travels beyond Sea, till within 3 or 4 Nights before the Fact was committed, when he kept his Door shut; that about 6 a-Clock the Morning aforesaid one of the Servants came down Stairs and found the Doors open, whereupon he went up to Mr. *Wood's* Chamber to acquaint him, and for the Keys of the Shop; but when Mr. *Wood* felt for his Keys, he found his



his Pockets were pickt, and his Keys, Money, and Goods, mentioned in the second Indictment gone; that they went to Mrs. *Finch*, who also kept Keys of the same Locks, for hers, and when they came into the Shop, missed the Goods mentioned in the first Indictment; that they went up into the Prisoner's Lodging, but he was gone and his Portmanteau too; whereupon they concluded he must be the Thief, and remembring his Stories of his Travels, concluded he would make the best of his Way out of the Land with his Booty; wherefore Mr. *Wood* went down to *Hungerford* Stairs immediately, and after he had enquired among the Watermen there, took Boat and called at the most noted Stairs as he past along, describing and enquiring after the Prisoner, till he arriv'd at *Gravesend*, and not hearing of him there, he made but a short stay, and as he was coming home, he had the good luck to meet with the Waterman that carried the Prisoner from *Billinggate*, and to whom in his Passage he told the Journey he intended to take, viz. from *Chelmsford* to *Harwich*, and go over in the Paquet Boat. That having got this Intelligence, tho' he met with several Obstacles and Disappointments, yet he made such Expedition in the Pursuit of him, that he came up with him at *Harwich*, before he could get off, and

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took him in a Coffee-house there, with the Goods upon him. The Jury found him Guilty of both Indictments, and he receiv'd Sentence of Death.

*The Ordinary says he was a Person of a very grave and thoughtful Deportment, and of so retentive a Faculty, that he enquiring of him what he could remember of his Sermon he had preached before, he repeated great Part of it verbatim, and believ'd he could have gone through the whole; he was very penitent and constantly at his Devotion. He was Executed, Nov. 6. 1719.*



## *The TRYAL, &c. of* **JANE GRIFFIN.**

**S**HE was indicted, Jan. 16, 1719. for the Murther of *Elizabeth Osbourn*, by giving her one mortal Wound, near the left ~~Pap~~, of the Breadth of one Inch and a half; and the Depth of six Inches, of which ~~he~~ instantly died; 2dly, Upon the Coroner's Inquest; and 3dly, Upon the Statute of Stabbing.

Mr. *Lund* deposed, that himself, and Mr. *Tanner*, and some other Gentlemen, were at Mr. *Griffin's* at Supper, that the Prisoner's Husband was called down out of the Company, and about an Hour after he  
came

came up and told Mr. *Tanner* there was one below would speak with him, that he asked who it was, and he told him a Woman; that he asked him what was the matter, he told him matter enough; that he was shewed through the Kitchen into the little Parlour behind it, where he found the Deceased lying on her Back, upon the Ground, as he thought, murdered; that he asked how it came, and was answered, that the Bitch had murdered herself, in putting up the Pewter; that Mr. *Tanner* came down immediately after him, and he set her upon her Breech and pulled down her Cloaths at her Breast, and Mr. *Tanner* put his Finger into the Wound, and pulled out the clotted Blood, she being almost suffocated with the Blood in her Mouth and Throat, which when they had done by wiping her Mouth, and stroaking her, she came to her Senses, and spoke a li le, that he asked her, *Whether she knew them?* She said *Yes.* He said, *Do you know us both?* she said *Yes.* He said, *Are you sure you know us?* she said, *Yes.* He said, *Betty, Did you stab your self?* she said, *No, no.* He asked her, *Who did then?* she answered, *my Mistress.* He asked her over again, *Who did it?* and she replied, *her Mistress.* He asked her *if she was sure of it,* and she replied, *Yes.* Upon which the Prisoner's Husband said, *For God's sake ask her no more Questions, for*  
if

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*if you do, I shall be undone*: That he advis'd the Prisoners Husband to send for Mr. *Hawkins* the Surgeon, who depos'd, That when he came into the Kitchen the Blood in the Kitchen and Parlour had been mop'd up, and Sand strew'd upon it, that he put away the Sand with his Feet and discern'd the Blood under it, that the Deceased had no Headcloths on, and her Hair look'd as if she had been drag'd out of the Kitchen into the Parlour by it; that when Mr. *Hawkins* came, he prob'd the Wound, and said she was a dead Woman. He added, that about 6 Weeks before, the Deceased had received a cut on her Arm, which she came up and shew'd him, saying her Mistress did it, and she believed she should be murdered one time or another, that he spoke to the Prisoner not to be so passionate to her Maid, who reply'd, *D—mn her a Bitch, I'll be her Butcher one time or another*? He reply'd, *Have you a mind to be hang'd for her*? that she answer'd, *She believ'd no body would think it worth their while so hang her for killing her.*

Mr. *Tanner* confirm'd his being at Supper that Night with Mr. *Lund* and some others, at Mr. *Griffin's* House, and of his and Mr. *Lund's* being called down by him, his finding the Deceased in the Little Parlour, and raising her on her Breech, and clearing the Blood from her Wound and Mouth,



Mouth, and the several Questions and Answers, and that the Deceased declared 3 Times that her Mistress had done it, and further added, that he help'd her up to Bed, and lent Mr. *Griffin* a Knife to cut the Deceased's Stays, and after they had undress'd her they put her to Bed, and that Mr. *Tanner* asking Mr. *Griffin* for the Knife again, he said what signified it, but he reach'd over the Deceased's Body, and moving it a little took it up, and that he observ'd that the Kitchen and the Parlour had been mop'd up, and strewed with Sand, and that a Lock of Hair stood out on each Side of the Deceased's Head, as if she had been dragged by them, and added that he bound up her Arm when it had been cut as aforesaid, and that he enquired for the Weapon with which that bloody Fact had been committed, and Mr. *Griffin* answer'd, he did not know where it was, but he would search for it, and added he had often heard the Prisoner abuse the Deceased.

*Thomas Forster* depos'd, That he being at Work in the House sometime before, that the Prisoner gave the Deceased a cut over her Arm with a Case Knife, and that she said, if she was not her Butcher then, she should sometime or other.

Mr. *Hawkins* the Surgeon deposed, that he was sent for about 7 or 8 a Clock at Night,

Night, and that he went through the Kitchen into a Room behind it, where the deceased sat in a Chair supported between two Persons, and he prob'd her Wound, which penetrated into her Body, and that all the Symptoms of Death were upon her, that they had her up Stairs and laid her upon the Bed, and desired the Man of the House to carry up some clean Linnen, she being all bloody, that then he and Mr. *Nockols* open'd her and found a very great quantity of Blood in her Breast, and the Wound near through her Heart, and by the Shape of the Wound he supposed it might be done by an Instrument small at the Point and growing wide as a Bayonet or little Iron Scuer, and that there having been a Report given out that she was with Child, that they opened the Womb and found all the Demonstrations that she was not.

*Elizabeth Smith*, Aunt to the Deceased, depos'd, That *Samuel Bannister* call'd upon her about 10 a Clock at Night, telling her that the Maid was very bad, that when she came, the Prisoner's Midwife told her *Betty* died suddenly of a Convulsion Fit: That Mr. *Griffin* told her there had been no Words, and that the Deceased being in the Kitchen by herself fell down in a Convulsion Fit with a Case Knife in her Hand, and that they gave her Wine in a Cup for fear

fear she should bite the Glass, and desired her to be there the next Day, because they intended to bury her then. But the Prisoner said the Coroner must sit on her First, to which she (this Evidence) reply'd, that she never knew the Coroner sit on any that died of the Convulsions, and went home and acquainted her Husband with what she had heard.

Mr. *Smith* depos'd that his Wife coming back with this strange Story, he went to Mr. *Nockels*, knocked him up, and desired him to go along with him to the Deceased, that they went up Stairs and found the Deceased Dead on the Floor, strip'd, and a bloody Cloth over her.

Mr. *Nockels* depos'd, That he found the Deceased on the Floor Naked, with a Sheet over her, that he went to Probe the Wound, but, his Probe was not long enough, therefore he desir'd Mr. *Griffin* to lend him a long Scuer, but he refus'd, saying, he would tear her Flesh, there had been a Surgeon before, and there was no occasion; that himself and Mr. *Hawkins* opened the Deceased, and that 3 Pints or 2 Quarts of Blood poured out at the Wound, which was 9 or 10 Inches deep, quite through the Lungs, and almost through the Heart, and that she was not with Child.

The Prisoner in her Defence protested her Innocence, and urged as a Proof thereof that she did not fly, which she would have done had she not been conscious to herself of her Innocence, having opportunity enough to go away before she was taken up. She also observed that when Mr. *Lund* and Mr. *Tanner* gave their Evidence before the Coroner's Inquest, that they then depos'd, That the Deceased when ask'd by Mr. *Lund* who did it, said only *Miss*, and not *Mistress*, which they now swore, and called the following Evidences.

*Mary Hughes* depos'd, That some time before, the deceased came to her as she was Ironing in her Master's Kitchen, with a Case-Knife in her Hand, and told her that she was in Love with Mr. *Tanner*, who flighted her, saying that she had heard of Love Powder, to gain Mens Affections, and ask'd her if she knew of any such, or where it might be had, that she told the deceased she had read in *Mother Bunch* of a Seed call'd *Cummin* Seed, which beat to Powder and put in Ale, would have that Effect, and that the Deceased show'd her some which she had bought, and afterwards told her she had given it him in Ale, but it signify'd nothing, and that she gave him another Pennyworth in half a Pint of Ale, but to no purpose, that she gave him  
another



another Pennyworth in Ale, without stirring, and that he complained she gave him drink out of the Tap-Tub, and that she told him it was as good Drink as she drank herself.

*Robert Wyman* depos'd, That the Deceased came to beg a Plaister of him for her Arm, and he ask'd her how she came by the Cut, and she told him she had been playing with a Hatter's Man.

*Mary Clark* depos'd, That she had liv'd with the Prisoner as a Servant 7 or 8 Years, and that she was one of the best of Mistresses, and being ask'd what Relation she was to the Deceased, answered, her own Sister.

There were a great many others appear'd to her Reputation, and gave her a good Character, as an Honest, Industrious Woman, not given to Passion, &c. And one said that he had seen her go very orderly to Church with her Children on Sunday, and after Evening Sermon to take them into a Room and hear them read good Books, and another that he had taken Notice of her promoting the Interest of her Servants. The Jury after the Hearing of the whole Matter, brought the Prisoner in guilty of all 3 Indictments, and she receiv'd Sentence of Death, after which, the Account the Ordinary gives of her is to this purpose.

*She*

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She appear'd to be very well read in the Holy Scriptures, owned the Fact, and said she was sensible that her present Misfortune was occasioned by her former Sins, that sometimes she would not be perswaded to sit in a Chair, but would sit on the Floor, saying, That she ought to humble herself in Dust and Ashes, and that had she a Thousand Hearts she would willingly they all should bleed to atone for her Crime, and upon her Knees made the following Confession.

After I had cut my Children some cold Fowl for Supper, I miss'd the Key of the Cellar, and not being soon found I was very angry ; going then into the Room where the Maid was, the Maid began to say I was always blaming her for every Thing I lost, I using then perhaps a sharp Word, the Maid began very foul and abusive Language to me ; upon this, as I stood by her, and being fretted before, I struck the Case Knife that cut the Childrens Supper into her Bosom ; but I verily believe her Stays were open, or it could not else have kill'd her.

When she took her last Farewel of her Husband and Daughter, it was scarce possible to view without Tears, the Reluctance with which they left each other ; She advis'd her Husband to be particularly regardful of the Sabbath; and not to continue any in his House who swore, or were passionate-(or appear'd to be so) then turning to her Daughter, who hung upon her with Tears

Tears, she conjur'd her not to neglect to learn her Duty ; to go constantly to Church on Sunday, and to be afraid of Passion, and after a very hard and difficult Task in parting her Husband and Daughter left her. Being at the Place of Execution, she spake to this Effect to the People, I confess the Murder, but it was not in Malice, nor did I think of doing it a Moment before it was done. I heartily advise and request all Persons to beware of Passion, especially the first Beginnings of it, lest it grow upon you and bring you to this Misery I justly undergo. She was Executed January 29, 1719-20.



The TRYAL, &c. of  
HENRY MILLS

HE was indicted March 3d 1720. on 3 several Indictments, viz. for enticing or endeavouring to persuade or solicit John Shields, Weaver ; Richard Knot, Woolcomb-Maker ; and Thomas Gaton, Worsted Weaver ; to go over into France to the Encouragement of the Woollen Manufactory there, in breach of an Act made the last Sessions of Parliament, John Purkes deposed, That one Paget, who went by the Name of Brown here in England, bought several Wool-Combs of him, pretending they

they were to go for *Scotland*, and told him that he wanted Artificers to go thither also, that he help'd him to some, who thinking they were to go to *Scotland*, but it proving to *France*, he got an ill Name by it; whereupon he went to *Paget* and told him his Condition. That he was to have gone himself, and to have 10*l.* paid him here, 6*l.* for his Family, and 4*l.* for his Passage, and great Encouragement when he came there; and that he gave him a Note on Mr. *Middleton* in the *Strand* for 10*l.* but he refused to pay it. That he saw *Mills* at *Young's Wharf* at the 3 Cranes, shipping off Woolcombs and other Goods belonging to the Woollen Manufacture as for *Scotland*, but indeed for *France*; that when Mr. *Middleton* refused to pay the Note, *Mills* said he must not entertain them as Artificers because of the Act of Parliament, but would give them a Guinea each for their Passage, and 12*d.* a Day for their Subsistence, and that they would have good Encouragement when they came thither; that he promised *Richard Knot* and two more the same, and that he would Ship them all; that he was divers Times with *Mills* and *Paget*, who were very intimate, and that *Mills* gave him Directions where to send to *Paget*; that *Knot* was his Servant, a Woolcomb-maker, that there were few of the Trade, which is very useful



ful for the Woollen Manufacture. *Richard Knot* deposed, That *Mills* promised him 20 Livres a Week to go to Work at his Trade of Woolcomb-making in *France*; that *Gaton* was there to whom he promised the same; said they would have no Occasion to make Provision for their Passage, he would take care of it; that himself *Robinson* and *Shields* went to the *Kings-Arms Coffee-House* in *Thames-Street*, in order to be Shipt off, that *Mills* call'd a Boat of his own, and order'd the Boy to set them aboard of such a Ship, where they were well received; but making an excuse to go ashore again for some Necessaries, got a Warrant and apprehended *Mills*; that his Master *Purkes* directed him to carry on the Matter with *Mills*, in order to detect him. *Thomas Gaton* deposed, That he went to *Mills* on the same account, who told him he had no Commission to contract with any, and that asking him what Encouragement there was, he said that they—him 20 Livres a Week when there. *John Shields* deposed, That he heard *Mills* say he had Shipt off above 40 Artificers at a Time Joyners, Watch-makers, &c. that he told them they need not provide for their Shipping, he would take care of them, and pay their Passage; he also confirmed *Knot's* Evidence, as to their going and coming ashore again. *Benjamin Powel* deposed, That

That some of the Weavers Company came to him, telling him how uneasy they were under the Apprehensions of the Evil Consequences of such pernicious Practices, and that he hearing that *Purkes* had made a parcel of Woolcombs for them, went to him; and discoursed him on the Matter; that *Purkes* told him if he could help him to two Weavers, he did not doubt but that they should make a full Discovery; that he provided him two, viz. his Son *Shields* and one *Robinson*, whom he could confide in: That *Mills* told him he had Shipt several before the Act. The Defendant *Mills* called several to discredit *Knot's* Evidence, who deposed he was a Person of very ill Repute, had forfeited 3 Recognizances, and under such Circumstances as he could not safely stay in *England*; he also called several Persons of Reputation who gave him (*Mills*) a good Character, and said that he was a Ship-Broker, whose Business it was to provide Freight and Passengers for Masters of Ships to all Parts beyond Sea; but being ask'd whether they used to pay their Passage, and allow them for their Subsistence, answer'd, No. The Jury after a long Hearing of the Council and Evidence on both Sides, brought him in Guilty of all three Indictments. To suffer 3 Months Imprisonment, pay a Fine of 50*l.* for each Offence, and to remain in Prison till he pays the same. *The*

The T R Y A L, &c. of  
JOHN MATTHEWS

HE was indicted at the *Old-Baily*, October the 30th 1719 for High Treason, in Printing and Publishing a Seditious and Traiterous Libel, entituled, *Ex ore tuo re judico, Vox Populi Vox Dei*, in which were contained many Seditious and Traiterous Expressions, highly Reflecting on his present Majesty and Government, and tending to alienate the Minds of his Majesty's Subjects, to Seduce them from their Allegiance, and to promote Rebellion, to which Indictment the Prisoner pleaded Not Guilty. Upon which the Council for the King having opened the Cause, setting forth the pernicious Consequences of such Proceedings, and the illegality of them, being directly contrary to a Statute of the 12th of *Anna*, being an Act made for the better and more effectual securing her Majesty's Person and Government, and the Protestant Succession in the Illustrious House of *Hannover*, and that the Prisoner tho' he had before been taken into Custody for the like Seditious Practices, and had been set at Liberty again merely by the Lenity of the Government, yet had so strong a Propensity thereto, that neither the Indulgence of the Government, nor the Danger of

of Punishment had been forcible enough to deter him, and supported their Charge by the following Evidences.

*Laurence Vezey* depos'd, That he being Journeyman to the Prisoner's Mother, and that his Brother being apprehensive of his Proneness to such Practices, in order to prevent him therefrom, he ordered him to keep the Key of the Printing-House, and the Prisoner brought the Form containing part of the aforesaid Book to the Press, and bid him pull a Proof of it, which he did, and that the Prisoner afterwards came down to him and said that the Pages had been Transposed, but he had now set them in their right Places, and after that he pulled him another Proof, that then he desired him, this Evidence to come betimes in the Morning to work them off, and told him that he himself would take care of the Paper, that every thing should be ready, that he importuned him several times to do it, and that one Morning he went pretty early in order so to do, and knockt at the Door designing to knock *William Harper*, who was the Apprentice, up, but the Prisoner came to the Door himself, and let him in, and call'd *Harper* up, who assisted this Evidence in working them off at the Press, the Prisoner himself taking off the Sheets at the Press for the greater Expedition; that when they were done the  
Prisoner



Prisoner carried them down Stairs, and paid this Evidence for working them off.

*Harper*, the Apprentice, confirm'd what *Laurence Vezey* had depos'd of his assisting him to work them off at the Press, and the Prisoner's taking off the Sheets for them, and added farther, That he saw the Prisoner Composing of the Matter (or Setting the Letters) himself from the Manuscript Copy.

The King's Messenger's depos'd, That they having receiv'd Orders from the Secretarie's Office to apprehend the Prisoner, and secure the said Traiterous Libels, did so, and upon searching, found a considerable Number of them in a Room which he own'd to be his Room, and also found in his Pocket two of the said Papers, which were produc'd in Court, and appear'd to be the two Proofs mentioned by *Laurence Vezey*, the one that wherein the Pages were Transpos'd and the Faults Mark'd, and the other a Proof, or Revise, where the Pages were set Right, and the Faults Mark'd; and they added, that having the Prisoner in Custody, as they were carrying him along with them, they told him that the only effectual way he had to make his Peace with the Ministers of State, was his making an Ingenuous and Candid Confession who it was that employ'd him, to which he reply'd, *G—d D—m them, meaning*

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*his Employers they were a parcel of worthless Dogs, who were good for nothing but over a Pot of Ale, &c. and that they proceeding further to urge him to a free and open Acknowledgment as before, he made Answer, That he very well knew what he had to do, that he had nothing now to do but to let his Money fly and so to get a good Fury.*

There was also produc'd in the Court a Paper written by the Prisoner's Brother, and sign'd by the Prisoner, wherein he own'd the Fact, declar'd who had employ'd him to Print the said Libel, and what he had for them, and beg'd Pardon for his Offence, which Paper was carried by his Brother to one of the Secretaries of State to make his Peace.

Other Evidence depos'd, That when the Prisoner was afterwards sent for to the Secretary's Office and Examined concerning the aforesaid Paper, he would not directly own the Paper to come by his Order or Direction, or that he had subscrib'd it with his own Hand, but prevaricated very much, giving loose and insignificant Answers to such Questions as were there put to him.

This Paper being produc'd in Court and read, Mr. *Matthews*, the Prisoner's Brother, was call'd, who being shewn the Paper, was ask'd, If he did not bring that Paper to the Secretary of State, as a Paper sign'd

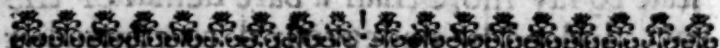
sign'd by his Brother? who acknowledg'd he did; but objected against deposing his Brother's Name, with which it was sign'd, was written by the Prisoner, because he said he did not see him write it; but at last being strictly interrogated about it, and taking the Paper in his Hand and looking upon it again, deposed, that he did believe the Prisoner's Name was writ by the Prisoner's own Hand, and that he did carry it to the Secretary of State as such.

The Prisoner in his Defence had very little to say more than a bare denial of the Fact, indeed he endeavour'd to contradict that Part of the Evidence of the said Papers being found in his Custody, alledging, That it was a Room which was a Passage into another, and so might as well belong to any body else as to him, and also to lessen the Credit of *Vezey's* Evidence, by calling some Persons as to his Character, but failing in that Point, his Council labour'd his Case as far as the Matter would bear against such positive Evidence, to which the Council for the King reply'd, and the Court having sum'd up the Evidence on both Sides, the Jury found him Guilty of the High Treason in the Indictment, and he receiv'd Sentence of Death accordingly.

*After his Condemnation he was visited by the Reverend Mr. Skerret, who also attended him at the Place of Execution, whither he was con-*

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was with a seeming Unconcernedness, and where he is said to have deliver'd a Paper, which was communicated to the Secretary of State, which as it is publish'd in a certain Paper, contain'd, 1. An hearty Acknowledgment of his dying in a firm and true Allegiance of his present Majesty King George. 2. His being a Member of the Church of England. 3. His departing in a sincere Love and Charity with all Mankind. He was Executed at Tyburn, being about 19 Years of Age, November 6, 1719.



## The T R A L, &c. of Elizabeth Cranbury.

**S**HE was indicted April the 28th 1720, for the Murder of *Thomas Biggs*, by privately putting *White Arsenick*, and other Poyson into a Dish of Milk Pottage, which she knew to be provided for his Breakfast, on the 9th of *April*, of which he was sick from 8 a Clock in the Morning till 4 in the Afternoon, and then died. She was indicted a second Time on the Coroner's Inquest for the same. *Hannah Tudor* deposed, that on the *Tuesday* before, she going to make the Bed where the Prisoner and her self lay, found a piece of yellow



yellow Silk with something tied up in it, which she took to be Sugar, but putting it to her Tongue found it hot, whereupon she took out a little of it, and put into a Paper, and tied up the rest again and put it in the Window; that the Prisoner came into the Room, took it out of the Window, and carried it toward her Box; that she shewed what she had reserved in the Paper to the Deceased and his Wife, to see if they knew what it was; that on *Friday* Night the Prisoner and the Deceased (who was her Father-in-Law) had many Words together, infomuch that he threatned to turn her out of Doors; and she told him he should not: that on *Saturday* Morning while the Deceased's Wife was feeding of him, he complained there was something in the Pottage, and that she told him there was any thing it must be in the Oatmeal; that he eat two or three spoonfuls more, and complained again, whereupon she went and took the Spoon out of her Mistresses Hand, and stirring the Milk found something in it, which she said look'd like Lime, and his Son said it look'd like Starch; that stirring it to the bottom she found a great many white Specks; that they gave it to the Dog, who vomited it up again. That the Deceased said, *What have you Poisoned me! I'll search all your Boxes.* That the Prisoner said, *He should*

not search hers, if he did he should pay for it. But he going to break it open with a Hammer, she opened it her self; and took out a Paper which she was going to convey away, but the Deceased being very intent upon the search, and his Head as it were in the Box, perceived it and snatch'd it out of her Hand, saying, (when he had look'd upon it) *This is such as I had in my Victuals.* He sent his Wife to the Doctors with it, who order'd her to give him some Oil; that he was taken ill presently, and continued Vomiting till he died, which was about 4 a Clock in the Afternoon. Mrs. Biggs deposed, that she made a Saucepan of Milk-Pottage, as usual, and left her Daughter (the Prisoner) to look after her Nursery while she fed her Husband (the Deceased) that he complained there was something in his Pottage twice, &c. and confirmed what the former Evidence had deposed, and added that the Deceased said, he hoped he should overcome it because he vomited so much. The Paper taken out of her Box was produced in Court. Dr. Perkins deposed, that he lookt upon it when it was brought to him, and that it was *White Arsenick, White Vitriol, and Bole Armoniack*, which is rank Poison; that he opened him, and found him Poisoned, his Stomach corroded and turn'd Black, and other Marks of Poison. The  
Prisoner

Prisoner denied the Fact, and said, that she lived at an Apothecary's in the Country as a Servant, but having agreed with a Woman to learn her to wash Gloves, she gave her Mistress warning; that a Woman coming one Day for something to wash Gloves with, when the Doctor had served her he laid the rest down in the Window, and she took it in Order to make use of it when she came to wash Gloves herself. And as to her refusing to have her Box search'd, she said, That tho' she did at first, yet she open'd it herself presently. The Jury considering the whole Matter brought her in Guilty of both Indictments, and she received Sentence of Death; but died in *Newgate* before the time of her Execution.



*The T R Y A L, &c. of*  
George Davis, *alias* Green.

**H**E was indicted for feloniously stealing 350 Guineas and an half, 30 Moidores, and 5s. in Money, the Goods and Money of *Elias Turner*, Sir *George Caswel*, and *Jacob Sawbridge*, Esq; in the Dwelling House of the said *Elias Turner* and Company, on the 13th of *April* last. *Richard Newton* deposed, that he went to se-

veral Places to receive several Sums of Money, and received that mentioned in the Indictment, which he put into a Drawer in his Master's Office; with a Book of Memorandums; and that the next Morning both the Money and Book were gone. That the *Tuesday* or *Wednesday* following, he saw the Book and some Money taken out of the *Dover* Bag in the Post Office. Mr. *Love* (the Post-Master's Agent at *Dover*) deposed, that he received Orders from the Right Honourable the Lord *Cornwallis* and Mr. *Craigs*, to seize the Prisoner in his Passage to *France*, which he did accordingly, and took his Papers and some Money from him; that he sealed up the Papers in a Cover, and sent them directed to the Right Honourable the Post-Master General. *Henry Marshal* deposed, that he put the Seal to the Book of Memorandums, which was found on the Prisoner, and produced in Court, and swore to be the same that was in the Drawer with the Money. Mr. *Newton* deposed also that the Prisoner was a Servant, who received Money abroad and paid it into the Office, but had no Trust of it when there. His Confession sign'd by himself was read in Court; and the Prisoner on his Tryal owned that he took it. The Jury found him Guilty of the Indictment, and he receiv'd Sentence of Death.

*Being*



Being under Sentence of Death, he gave the Ordinary the Account following, That his Misfortune came by taking more Business upon him than his Capacity was able to Discharge, for by that means he made frequent Mistakes in his Accounts in his hurry of Writing, and became very much behind hand in them; and being unable out of his own private Fortune to make up the Sums deficient, and his Affairs becoming more and more entangled; in fine his Accounts were gone so far, that he found it impossible to give any Account at all, for which Reason the Devil put it into his Head to fly from those, he could not justify himself before; but the Sum he took with him was but 400 l. He told the Ordinary that he had not felt so much Ease and Composure in his Mind during the 3 last Years he was employ'd in Business, as he had enjoy'd for the little space of time that he had been confin'd in Newgate, and that the Day that he went off with the Money for Dover he was so extremely confus'd in his Head, that even when he was told what he had done, and what Places he had been at, he could by no means recollect it.

He behav'd himself with decency and seeming Penitence, and at the Place of Execution deliver'd a Paper to the Ordinary, intimating that the Sum he took was not so much as the Governor and Directors of the Company imagined, but that it was really sunk by his ill Management in his Accounts. He was Executed June

The T R Y A L, &c. of  
Morice Fitzgerald.

**H**E was indicted July, the 14th 1720. for the Murther of *Peter Parry* on the 26th of *May*, by giving him a Mortal Wound in the Right part of the Back near the Shoulder, of the Breadth of 4 Inches and the depth of 13 Inches, of which he instantly Died. He was indicted also a second time, on the Coroners Inquest for the same.

*Humphrey Price* depos'd, That he and his Partner having carried a Gentleman home, as they came back, between 3 and 4 in the Morning, they took up a Gentlewoman to carry to *St. James's*, that a Mad or Drunken Fellow follow'd the Woman and used some ill and abusive Language, and that when they came to the End of *Cecil Street* they met 4 or 5 Gentlemen who said *damn ye, we'll have some Fun*; and ask'd who have you in the Chair, he answered, a Gentlewoman, going to *St. James's* they demanded her out of the Chair, that the Prisoner struck him twice with his Sword in the Scabbard and his Partner said he could not come along, that he was prick'd in the Breech; that they open'd the Chair, and the Gentlewoman being very much frighten'd cry'd out, and a Watch-

Watchman came up to her Assistance. That there were 3 Chairs in all, theirs the first, then Mr. *Celey* came up with his Sword in one Hand and his Cane in the other, and said he would not hurt him (this Evidence) that he seized the Prisoner and prevented his hurting of him (this Evidence); but could not tell who gave the Deceased the Wound; that the Prisoner was in Liver Colour'd Clothes, and his Partner told him that he knockt the Prisoner down after he had struck him and stopt the Chair.

*Francis Amber* depos'd, That he hearing a Noise got up and lookt out of the Window, that he saw Four Gentlemen, 3 of them with their Swords drawn, and 4 Chairmen with their Poles out, and a Watchman coming up, one of the Gentlemen thrust his Sword in his Back; and the Gentlemen offer'd the first Offence; that two of them were about the Watchman, the other two about the Chair, and the Woman crying out.

*William Maxwell* depos'd, That the Gentlemen were drunk, kickt a Watchman's Staff and Lanthorn, then gave him Mony, and going on met the Chair near the End of *Cecil Street*, and said they would have some Fun with the Gentlewoman in it; that she crying out, the Deceased Watchman came up to pacify them; that he saw

two Swords in the Deceased's Body, and the Prisoner's was one of them; that the Prisoner had then on Liver Colour'd Clothes; that he knew him well, had known him for some time; and being ask'd if he knew where he liv'd or Lodg'd, he said he had Lodg'd about six Months at the Corner of *Beauford-Buildings*; that the other two Gentlemens Swords were also drawn, and Mr. Celey said *G——d D——n ye let us make the best of our way, the Watchman's Kill'd.*

*Goner Batchelor* depos'd, That he being waked with the Noise got up, and looking out of a Window saw an Empty Chair turned over; the Chairmen with Poles, and the Gentlemen advance with their Swords drawn, said let there be no Mischief done, shook Hands and put up, then drew again; the Gentlewoman screamed out, and the Deceased coming up, he saw two Swords in him, one in his Back, the other in his Left Arm, that one of the Wounds was given by a Gentleman in a light Colour'd Suit trimm'd with Silver, but could not swear in particular to the Prisoner at the Bar.

*James Swanstone* depos'd, That his was the first Chair, that his Partner had a Blow and bid him set down, that he drew his Pole, that the Prisoner pusht at him with his Sword and scratcht him in the Cheek,  
and



and he knockt him down with his Pole; and went away with their Fair; that the Head of the Chair was thrown up, the Glasses and Frame broke, and the Gentlewoman frighted and cry'd out before the Murther was done.

*Jeremiah Rigby* (a Watchman) depos'd, That as he was on his Duty he heard Murder cry'd out, and going up to preserve the Peace, a Gentleman made several Passes at him; that he desired him to return his Sword, which he refused; but he kept him off with his Staff and believes it was the Prisoner, but was not positive; but said it was a Gentleman in light colour'd Clothes trimm'd with Silver.

*John Langley* depos'd, That he went up to the former Evidence's Assistance, that he saw two Swords drawn, that the Prisoner (whom he knew) was in Company, his Sword in the Scabbard, they made off, and he went up with *Rigby*.

*Ann Saunderson* depos'd, That she hearing two Gentlemen were brought to the Round-House for killing a Watchman, went into the Room to them, that Mr. *Celey* clapt his Hands together, and said, *he wisht he Dy'd for Age on his Account.*

*Mary Lane* depos'd, that the Prisoner and Mr. *Celey* were brought up to the Round-House, and that she being there heard the Prisoner say, *O Lord have Mercy*

upon

*upon me, we have kill'd the Watchman, we shall be hang'd; and that the Prisoner had several Spots of Blood on his Waistcoat: and that one came up into the Round-House to see them, and said that the Prisoner stabb'd the Watchman, but he could not tell whether he was Dead; that it was light when she saw them, the Prisoner had Liver colour'd Clothes on; and the Prisoner asking whether it was not Dirt on his Clothes, she answered that it was Blood, not Dirt.*

*Edward Edgerly depos'd, That at Cecil Street end the Gentlemen took a Staff and Lanthorn from a Watchman, it was a Gentleman in Gray Clothes trimmed with Silver, that they beat the Watchman, then gave him some Mony, and bid him go about his Business, that a Woman coming by in a Chair, they stopt the Chair; that the Prisoner came up after it was stopt, and was not one that stopt it; that there were Five Gentlemen, the Prisoner was one of them; that the Gentlewoman cry'd out Murther, the Deceased came up, there were two or three about him, and that the Prisoner was amongst them when the Mischief was done; that he saw but one Wound given, which was by a Gentleman in Grey trimmed with Silver.*

*Nathaniel St. Andrew depos'd, That he being sent for to the Deceased, found two Wounds*

Wounds on him, one backward through the Thorax into the Liver, which was the Occasion of his Death; the other in his Left Arm.

The Prisoner in his Defence said, that he had been in Company with Captain *Bennet* and some other Gentlemen at Mrs. *Rochforts* at *Charing Cross* till near 4 a Clock that Morning, and that Mr. *Celey* was not in their Company, and that going home all alone to his Lodgings at the Corner of *Beaufort Buildings*, within a dozen Doors of his Lodging this Accident happened; that he had not been in Company with any of the Gentlemen before, but coming by accidentally at that unhappy time was knockt down by one of the Chairmen, and call'd the following Evidence to prove it.

Captain *Bennet* depos'd, That he sup't with the Prisoner at Mrs. *Rochfort's* that Night, and staid till half an Hour after 3 then went away in a Chair, parting with the Prisoner at *Rochforts* Door, and that *Celey* was not in their Company.

*John Ross* depos'd, That he was that Night in *Celey*, *Cook's* and *Jeffery's*, Company at Mrs. *Cousin's* till after 2 in the Morning, and that the Prisoner was not with them; and that *Celey* and the others were very Fractious before he left them, and threatned to go and scower the Watch.

*William*

*William Baily* confirm'd *Captain Bennet's* Evidence as to the Prisoners supping at his *Mistress Rochforts* that Night, and their going away.

*John Plunket* depos'd, That he saw the Prisoner walk soberly before him about *Hungerford-Market* all alone; that then he got before the Prisoner, and when he came to *Cecil-Street*, or thereabouts, he saw a Squabble; that there were 6 Gentlemen, one of them in Whitish Clothes with Silver Trimming; with a Sword drawn, who stabb'd the Watchman, and then the Prisoner came up and was knockt down by a Chairman.

*Mr. Warren* depos'd, That he overtook the Prisoner between *Northumberland-House* and *Hungerford-Market*, that there was no Body with him, and walking faster got before him; and at the End of *Cecil Street*, or thereabouts, saw a Gentleman in White Clothes trimmed with Silver, make two Stabs at the Watchman, who fell down; that the Prisoner was not in the Fray at that time, but coming up presently after, was knockt down by a Chairman; that he was positive that one Man in Light Coloured Clothes trimmed with Silver gave the Deceased two Stabs, one before, the other in his Back; and that the Prisoner had Liver Colour'd Clothes on; and that when he was taken by a Watchman at the  
end.



end of Southampton Street, the Mob cry'd out it was not he that kill'd the Watchman, but a Gentleman in Whitish Clothes with Silver Trimming.

Edward Taughan ( a Smith in Cow-Cross ) depos'd, That he saw two Watchmen run along, one of them dropt, the other cry'd out, O Lord, he has kill'd my Companion; that a Gentleman in Grey trimmed with Silver, came up with his Sword drawn, and prickt him in his Leather Apron, that he took him and had him to the Half-Moon-Tavern, that he got a Constable, and had him to the Round-House, that his Sword was Bloody above Six Inches, and he wiped it off; that he saw the Prisoner in the Round-House but no Blood on his Clothes.

Daniel Maccoy depos'd, That the Deceased was his Companion, and that he took the Prisoner standing in the Crowd, some saying he was the Person that kill'd the Deceased; that he drew his Sword and found no more Blood on it, than on the Palm of his Hand; and that the Prisoner surrendered himself without any Resistance; his Sword being then in his Scabbard.

One Dalton depos'd, That he saw the Prisoner knockt down by a Chairman as he was crossing the Street, and that the Deceased was kill'd before the Prisoner came up.

—Ekins depos'd, That the Deceased was kill'd, and the Mob crying out that the

the Prisoner was one of them, a Chairman knockt him down, but that he was not there till after the Deceased fell.

—— *Fox* deposed, That he saw the Prisoner walk before him, but ~~the~~ walking faster than the Prisoner, got to the Fray before him, and saw the Deceased drop before the Prisoner came up, who was knockt down by a Chairman; that he parted with *Ekins* at *Charing-Cross* and met again at the Fray.

*Mr. Pomroy* deposed, That he met *Mr. Jefferies* (who absconds) at the Coffee-house, who told him that he was going on the Rake; and that he went to the Round-house to see them, where *Mr. Celey* told him *that the Prisoner was not in the Fray, but came up after.*

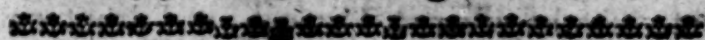
*Col. Carpenter* deposed, That he was present at their Examination before the Justice; and that *Mr. Celey's* Sword was bloody, not the Prisoner's; that *Langley* and *Rigby* Swore before the Justice that another was the Man who kill'd the Deceased, and not the Prisoner.

He also called several to his Reputation, who gave him the Character of a Well-behav'd Peaceable Gentleman, &c.

The Jury considering the whole Matter brought him in Guilty of both Indictments, and he receiv'd Sentence of Death accordingly.

*He*

He said he was born in Ireland, of a reputable Family, who procur'd him a Post in the Army, where he had behaved himself very well, and was at that time in Half-Pay, but had given himself too much liberty, and liv'd a profligate Life. After his Condemnation, he had too great a Dependence upon a Reprieve, through the Powerful Interest he flatter'd himself he had, which diverted him from that due Preparation for another World, which was requisite; so that when the dead Warrant contrary to his Expectation came down, it so surprized him that he is said to have fallen into a Swoon; but then beginning to think more seriously of a Future State he acknowledged he had given too great a loose to his Passions, and been too much addicted to Debauchery of which he then heartily repented, he behav'd himself with a great appearance of Devotion and Contrition, but deny'd at the Gallows that he committed the Murther for which he died. He was Executed August 15. 1720. in company with Matthew Tomkins for Robbing on the Highway, and David Lazenby for House-breaking.



The TRIAL, &c. of  
GILES HILL, Gent.

HE was indicted September 10. 1720. for the Murther of Nicholas Moor, Esq; by giving him one Mortal Wound with a Sword near the Left Armpit, of the length of one  
Inch

Inch and the depth of ten Inches, on the 26th of *August*, of which he instantly died. He was also indicted a second time on the Coroner's Inquest for the same. He was likewise indicted a third time on the Statute of Stabbing.

The Jurors were the same as in the other *London Tryals*, except *Edward Jarman*, the Foreman, who being Challeng'd by the Prisoner, *James Cooper* was sworn in his stead.

*Mr. Bowers* deposed, That he came Home that Evening about Six a Clock, and found the Deceased, the Prisoner, and another Gentleman drinking together; that the Deceased asked him to sit down; that some Musick came in, and the Deceased bid them play the Duke of *Ormond's* March, to which the Prisoner objected; soon after the Deceased proposed the Duke of *Ormond's* Health, and said he would Drink his health, for he was an Honest Gentleman: upon which the Prisoner said, you are a Rogue and a Lyer, for he is a Rebel to his Country. That they immediately both clapt their Hands to their Swords; the Deceased was Endeavouring to get out of the Box, and he believ'd that the Prisoner past at him as he was Endeavouring to get out of the Box; and that he was Half-Way out when he was run Through, and dropt on the outside of the Box. That he did not perceive the Deceased's Sword drawn before the Pass; but when they had secured the Prisoner's Sword, he saw the Deceased's Sword drawn lying by his Side, and the Scabbard, he being fallen down in a Minute.

*Thomas Rudgate* deposed, That he was there, and went to the Bar to enquire for a Person, and



and hearing a Dispute, stopt to see what was the Matter; that he saw the Gentlemen both rise up; and that the Prisoner drew and Wounded the Deceased, who fell down in an Instant with his Head at his (this Evidence's) Feet. That he did not see the Deceased's Sword till he fell; but afterwards saw it drawn and lying under him.

Mr. *Knockells* deposed, That he being sent for, found the Deceased supported by Three or Four Men, giving him Spirits to Smell to: When he came in he did not see the Deceased's Sword, but one *French* came in and asked if any had seen his Sword drawn, saying it would be a Material Thing: But no one then said they had seen it drawn. That soon afterwards he perceived his Sword lie drawn by him on his Left Side. That he opened him, and found that he was run through the Lobe of the Lungs, and the Heart.

The Prisoner in his Defence said that he went with Capt. *Cuntiff* to see Mr. *French* at the *Ram-Inn*; that the Deceased came into their Company, and there being Musick, the Deceased called for the Duke of *Ormond's* March, to which he objected, and after that they were drinking King *George's* Health; and when it came to the Deceased's Turn to Drink he would drink the Duke of *Ormond's* instead of it; whereupon he (the Prisoner) told him it was not fit for them who wore the King's Cloth to bear such things; upon which the Deceased immediately drew and bid him take Care of himself; and what follow'd was in his own Defence, he being so pinn'd up in the Box that he had no other way to save his Life.

Capt.

Capt. *Cunliff* deposed, That the Deceased intruded himself into their Company; that the Deceased bid the Musick play the Duke of *Ormond's* March, and they made them cease; that the Deceased proposed his Health, saying he was an honest Man; that he told him, that he was not agreeable to them; but the Deceased took the Glass and drank it to the Prisoner, who was his Left Hand Man. The Prisoner said he was a Rogue, and the Deceased laid his Hand on his Sword first, and the Prisoner made a Thrust at him. That he could not swear the Deceased's Sword was drawn at that time, he being in Confusion, and fell over the Table endeavouring to prevent Mischief; but he saw the Deceased Reeling with his Sword drawn in his Hand when he fell.

*Richard Hewet* deposed, That he went into the *Ram-Imm* to shelter himself from the Rain, and went into a Box against the Box where this happened; that he heard a Noise about drinking the Duke of *Ormond's* Health, which the Deceased would drink; and heard the Prisoner tell him he did not do well to drink it in their Company, and used other Expressions which the Deceased resented, for that the Deceased drew himself to the end of the Box, drew his Sword, and bid the Prisoner take Care of himself. That the Door of the Box was open. That when he saw the Deceased's Sword drawn he got up, and going out saw him drop. He said he sat so as to see the Deceased, but could not see the Prisoner or his Sword. That he was no Acquaintance of the Prisoner's, but telling some People

People at the *Tilt-Yard* Coffee-House what a sad Accident he had seen at the *Ram-Inn*, he was found. And being asked why he went away so soon as the Action was done, answered, for fear of coming into Trouble.

*Charles Read* deposed, That he went in there from the Rain, found the House in an Uproar, lookt in, saw the Deceased's Sword drawn and the Prisoner's. That he was sure the Deceased had his Sword in his Hand drawn immediately before he fell. And then he went away.

*Henry Croox* deposed, That he saw the Deceased fall, and took him up; but did not see his Sword till he saw it in *Jane Fox's* Hand.

*Jane Fox* deposed, That she took up the Deceased's Sword, it being drawn, and when he was turn'd it lay on his Left Side, and as he sat up she saw the Scabbard broke under him.

*John Bickerstaff* deposed, That the Deceased fell with his Back against his Breast; that he kept him up as long as he could, but saw not his Sword till *Jane Fox* took it up.

*Robert French* deposed, That when he was called the Deceased was on his Feet. That when the Deceased fell he took the Prisoner's Sword and gave it to his Wife. That he did not see the Deceased's Sword at first, but he desired the People to stand off, and when the Crowd stood off he saw it lying on the Ground drawn by him, and *Fox* took it up naked.

The Prisoner called several Gentlemen to his Reputation, who gave him the Character  
of

of a Quiet, Civil, Courteous, Good Humour'd Man, not given to Quarrel, but the Reverse.

For the Prosecutor, one *Turbot* was called, who said that he was there before the Deceased was dead and then he did not see *Hewett* nor *Read* there; but said there was a great Crowd of People.

Mr. *Sparrow* was also called to discredit Mr. *Hewitt*, he said he believ'd he stir'd out only on *Sundays*, for that he used to come of a *Sunday* to speak to him on Business.

The Jury being gone out, and some Debates arising among them about giving Credit to Mr. *Hewett's* Evidence, Mr. *Bowers*, and Capt. *Cunliff* were called in again, and the Questions which the Jury desired were put to them for their Satisfaction.

And Mr. *Bowers* deposed, That he did not remember that he heard the Deceased use the Expression, Take Care of your self. That he endeavoured to stop the Prisoner's Arm; and did not see what the Deceased did, his Back being towards him. That he believed if the Words were spoke he might have heard them; but could not take upon him to swear they were not spoke. And he confirmed what Mr. *Hewett* swore, that he might see from that Box where he was, the outermost (in the Box where the Gentlemen were) and yet not those within.

Capt. *Cunliff* deposed, That he could not swear such Words were or were not spoken by the Deceased; for that he threw himself over the Table to prevent Mischief, and was in great Confusion.

The Jury after long Consideration, and having (as aforesaid) further informed themselves by the Re-examination of the Witnesses, declared they were satisfy'd, and that they gave Credit to the Affirmative and Positive Evidence, which was not disproved by the Negative Evidence; and that one of the Jury had known Mr. *Hewett* several Years, and believed he was an honest Man; and so they brought in the Prisoner Guilty of Manslaughter.

